

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**CENTRAL VALLEY REGION**

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**ORDER NO. R5-2008-XXXX**

**NPDES NO. CAG995001**

**WASTE DISCHARGE REQUIREMENTS  
FOR DEWATERING AND OTHER LOW THREAT DISCHARGES  
TO SURFACE WATERS**

The following Dischargers are subject to waste discharge requirements as set forth in this Order (as authorized by the Notice of Applicability):

**Table 1. Discharger Information**

<b>Dischargers</b>	Individuals, public agencies, private businesses, and other legal entities (hereafter Dischargers) of clean or relatively pollutant-free wastewaters that pose little or no threat to the quality of waters of the United States. Discharges covered by this General Order are either 4 months or less in duration or have an average dry weather flow less than 0.25 million gallons per day (MGD).
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified these discharges as minor discharges.	

**Table 2. Administrative Information**

This Order was adopted by the Regional Water Quality Control Board on:	<b>&lt;Adoption Date&gt;</b>
This Order shall become effective on:	<b>&lt;Effective Date&gt;</b>
This Order shall expire on:	<b>&lt;Expiration Date&gt;</b>
Those enrollees who are covered under this Order at the time of expiration will continue to be covered until coverage becomes effective under a reissued Order. Upon reissuance of this Order by the Regional Water Board, Dischargers seeking coverage under the reissued Order shall file a revised Notice of Intent.	

IT IS HEREBY ORDERED, that this Order supercedes Order No. 5-00-175 except for enforcement purposes; and in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, applicable Dischargers shall comply with the requirements in this Order.

I, Pamela Creedon, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **<Adoption Date>**.

PAMELA C. CREEDON, Executive Officer

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## I. DISCHARGE INFORMATION

Individuals, public agencies, private businesses, and other legal entities often need to discharge clean or relatively pollutant-free wastewater that poses little or no threat to water quality. These discharges are often short-term and low volume in nature.

Water suppliers may have numerous intentional and unintentional releases of fresh water to surface waters and surface water drainage courses due to many factors, including system failures, pressure releases, and pipeline/tank flushing and dewatering. For the purpose of this Order, these multiple discharges from water suppliers shall be considered a project. Public and private water suppliers, such as irrigation districts, water districts, and water agencies, may apply for coverage under this General Order.

This General Order covers certain categories of dewatering and other low threat discharges to waters of the United States, which are either 4 months or less in duration or have an average dry weather flow that does not exceed 0.25 million gallons per day (MGD).

## II. NOTIFICATION REQUIREMENTS

### A. General Order Application

To obtain coverage under this General Order, which also serves as the National Pollutant Discharge Elimination System (NPDES) Permit, the Discharger must submit a complete Notice of Intent, as detailed in Attachment G. The Notice of Intent requires the Discharger to submit the following: (1) information concerning its discharge location; (2) a map showing the location of the site, treatment system (if applicable), discharge point(s), and receiving water; (3) an evaluation of reclamation options; (4) narrative and schematic descriptions of the existing or proposed treatment system, including blueprints signed by a Registered Engineer or Geologist (if applicable); (5) analysis of the proposed effluent for pollutants listed in Attachment B, Attachment C (if applicable), and any applicable 303(d) listed pollutants for the receiving water if discharging or proposing to discharge to an impaired waterbody; and (6) the appropriate fee. Dischargers applying for an exception to the analysis of the priority pollutants listed in Attachment B, as allowed by section 1.3, Step 8 and section 5.3 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP), shall submit the proper information with the Notice of Intent, as outlined in Attachment G. Water suppliers with a project that includes more than one existing or proposed discharge point must submit a Pollution Prevention and Monitoring and Reporting Plan with the Notice of Intent, as outlined in Attachment G.

### B. General Order Coverage

Upon receipt of the Notice of Intent, the Executive Officer shall determine the applicability of this Order to the discharge. If the discharge is deemed eligible for coverage, the Executive Officer shall issue a Notice of Applicability to the Discharger, notifying the Discharger that the discharge is authorized under the terms and conditions

of this Order. New discharges for which coverage under this General Order is being sought shall not commence until after receiving the Executive Officer's written Notice of Applicability or until the California Regional Water Quality Control Board, Central Valley Region (hereinafter Regional Water Board) has issued an individual NPDES permit for the discharge.

This General Order shall apply to the individuals, public agencies, private businesses, and other legal entities who have submitted a complete Notice of Intent and have received a Notice of Applicability from the Executive Officer.

Dischargers currently covered by Order No. 5-00-175 are automatically granted coverage under this General Order for a period of 180 days following adoption of this General Order. Within 90 days, the Discharger shall file a new Notice of Intent for coverage under this General Order. Coverage under this General Order shall be terminated after the 180-day period unless the Executive Officer has issued the Discharger a written Notice of Applicability.

### **C. Eligibility Criteria**

1. This General Order covers dewatering and other low threat discharges to surface waters.
2. To be authorized by this General Order, Dischargers must demonstrate that the discharge or proposed discharge meets the following criteria:
  - a. Pollutant concentrations in the discharge do not cause, have a reasonable potential to cause, or contribute to an excursion above any applicable federal water quality criterion established by USEPA pursuant to CWA section 303;
  - b. Pollutant concentrations in the discharge do not cause, have a reasonable potential to cause, or contribute to an excursion above any water quality objective adopted by the Regional Water Board or State Water Resources Control Board (State Water Board), including prohibitions of discharge for the receiving waters; and
  - c. The discharge does not cause acute or chronic toxicity in the receiving water.
3. The Discharger shall comply with all the terms and provisions of this General Order.

### **D. Termination of Coverage**

1. Upon completion of treatment and cessation of the discharge, the Discharger shall request, in writing, official termination of coverage under this General Order from the Executive Officer. Upon submission of this request, the Discharger shall no longer be authorized to discharge wastewater covered by this General Order. The Discharger is subject to the terms and conditions of this General Order and is responsible for submitting the annual fee associated with this General Order until the Discharger submits a written request for official termination of coverage.

2. When the Regional Water Board issues an individual NPDES permit or Waste Discharge Requirements (WDRs) with more specific requirements to a Discharger, the applicability of this General Order to that Discharger is automatically terminated on the effective date of the individual permit or WDRs.
3. Dischargers authorized to discharge under this General Order who have been granted an exception to the priority pollutant criteria and objectives in the California Toxics Rule (CTR) and SIP, as allowed by section 5.3 of the SIP, must provide certification by a qualified biologist that the beneficial uses of the receiving water have been restored upon completion of the discharge.
4. Authorization to discharge shall be terminated 180 days after the effective date of this General Order for those Dischargers covered by Order No. 5-00-175, unless the Discharger receives a written Notice of Applicability for coverage under this General Order from the Executive Officer.

### III. FINDINGS

The Regional Water Board finds:

**A. Background.** Dischargers of dewatering and other low threat discharges to surface waters are currently discharging pursuant to Order No. 5-00-175 and NPDES Permit No. CAG995001. Dischargers of dewatering and other low threat discharges to surface waters must obtain authorization under this General Order in order to continue their discharges to waters of the United States. To obtain authorization for continued and future discharges to waters of the United States, Dischargers must submit a complete Notice of Intent, as described in Section II, above.

**B. Discharge Description.**

1. The dewatering and other low threat discharges that may be authorized by this General Order are clean or relatively pollutant-free wastewaters that pose little or no threat to water quality. This General Order covers discharges which are either 4 months or less in duration or have an average dry weather flow of less than 0.25 MGD. Discharges that may be covered by this General Order include, but are not limited to the following:
  - a. Well development water;
  - b. Construction dewatering;
  - c. Pump/well testing;
  - d. Pipeline/tank pressure testing;
  - e. Pipeline/tank flushing or dewatering;
  - f. Condensate discharges;

- g. Water supply system discharges; and
- h. Miscellaneous dewatering/low threat discharges.

These wastewaters may be produced and treated on a continuous or batch basis.

2. Discharges that are not covered by this Order shall include the following:
    - a. Discharges to municipal wastewater collection systems;
    - b. Discharges to ponds, infiltration basins, spray disposal areas, subsurface infiltration; or other methods not involving discharge to surface waters and surface water drainage courses;
    - c. Discharges from groundwater cleanup projects, including sites polluted by industrial activity, underground leaking tanks, and farming practices;
    - d. Discharges of groundwater which has been polluted by industrial activity, underground leaking tanks, or farming practices, even if the project and/or proponent has no connection with the contamination; and
    - e. Discharges that cause acute or chronic toxicity and discharges that contain chemical or organic constituents, bacteria, herbicides, pesticides, oil and grease, radioactivity, salinity, or temperatures that may adversely impact beneficial uses or exceed any water quality objective or standard.
  3. Dischargers already covered under the NPDES program, whether by general or individual permit other than Order No. 5-00-175, may elect to continue coverage under the existing permit or may submit a complete Notice of Intent for coverage under this General Order. Dischargers who submit a complete Notice of Intent for coverage under this General Order are not required to submit an individual permit application. The Regional Water Board may request additional information and determine that a Discharger is not eligible for coverage under this General Order and would be better regulated under an individual or other general NPDES permit or, for discharges to land, under WDRs. If the Regional Water Board issues an NPDES permit or WDRs, the applicability of this General Order to the specified discharge is immediately terminated on the effective date of the NPDES permit or WDRs.
- C. Legal Authorities.** This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges to surface waters of dewatering and other low threat wastewaters. This Order also serves as WDRs pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

Section 122.28 of Title 40 of the *Code of Federal Regulations* (40 CFR 122.28)

authorizes EPA and approved states to issue general permits to regulate a point source category, if the sources:

1. Involve the same or substantially similar types of operations;
2. Discharge the same type of waste;
3. Require the same type of effluent limitations or operating conditions;
4. Require similar monitoring; and
5. Are more appropriately regulated under a general permit rather than individual permits.

On 22 September 1989, USEPA granted the State of California, through the State Water Board and the Regional Water Boards, the authority to issue general NPDES permits pursuant to 40 CFR Parts 122 and 123.

**D. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on readily available information for several similar discharges and the requirements contained in Order No. 5-00-175. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E and G through H are also incorporated into this Order.

**E. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177, except requirements for “new sources”<sup>1</sup> as defined in the Federal Water Pollution Control Act. For any “new source” compliance with CEQA must be achieved before a Notice of Applicability for coverage under this General Order can be issued for the project.

The SIP at section 5.3 authorizes the Regional Water Board to grant categorical exceptions from meeting the priority pollutant criteria/objectives, if determined to be necessary to implement control measures regarding drinking water conducted to fulfill statutory requirements under the Safe drinking water Act or California Health and Safety Code. Generally, discharges of potable water are done to fulfill California Department of Health and Safety statutory requirements, and to ensure steady and safe drinking water supply to end-users. The potable water discharges under this permit are mostly intermittent, short duration, high flow discharges that comply with California Department of Health and Safety Maximum Contaminant Levels, for protection of human health. Therefore, potable water discharges as qualified under this permit have been determined to pose no significant threat to water quality and meet the conditions for categorical exception under SIP. The Board’s actions on issuing this permit for existing and new potable water discharges, and on the exceptions is exempt from CEQA in accordance with California Code of Regulations, Title 14, Section 15061 (b)(3) which states that CEQA only applies to projects which have the potential for causing adverse environmental effects.

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<sup>1</sup> A “new source” is a discharge type for which USEPA has issued New Source Performance Standards. A “new source” does not mean a new discharge.

To satisfy the Categorical Exception requirements of Section 5.3 of the SIP, dischargers seeking enrollment under this General Order will be required to submit project-specific information to the Executive Officer on the discharge and its water quality effects. The information required by the SIP is included in the application requirements contained in section V of Attachment G.

Deleted: presented

**F. Technology-based Effluent Limitations.** Section 301(b) of the CWA and implementing USEPA permit regulations at 40 CFR 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharges authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with 40 CFR 125.3. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).

**G. Water Quality-Based Effluent Limitations (WQBELs).** Section 301(b) of the CWA and 40 CFR 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

40 CFR 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 CFR 122.44(d)(1)(vi).

**H. Water Quality Control Plans.** The Regional Water Board adopted a Water Quality Control Plan, Fourth Edition (Revised February 2007), for the Sacramento and San Joaquin River Basins and a Water Quality Control Plan, Second Edition (Revised January 2004), for the Tulare Lake Basin (hereinafter Basin Plans) that designate beneficial uses, establish water quality objectives, and contain implementation programs and policies to achieve those objectives for all waters addressed through the plans. In addition, the Basin Plans implement State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The typical beneficial uses identified in the Basin Plans include the following: municipal and domestic supply; agricultural irrigation; stock watering; process supply; service supply; hydropower supply; water contact recreation; canoeing and rafting recreation; other non-contact water recreation; warm freshwater aquatic habitat; cold freshwater habitat; warm fish migration habitat; cold fish migration habitat; warm and cold spawning habitat; wildlife habitat; navigation; rare, threatened, or endangered species habitat;



groundwater recharge; and freshwater replenishment.

The Basin Plans include a list of Water Quality Limited Segments (WQLSs), which are defined as “...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 CFR 130, et seq.).” The Basin Plans also state, “Additional treatment beyond minimum federal standards will be imposed on dischargers to WQLSs. Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment.” Dischargers seeking coverage under this General Permit whose discharge is to a receiving water that is listed as a WQLS shall analyze the discharge for the applicable listed constituents, the results of which shall be included in the Discharger’s Notice of Intent. The Regional Water Board will not authorize discharges under this General Order that would contribute to the further impairment of the WQLS.

- I. Bay-Delta Plan.** The Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) was adopted in May 1995 by the State Water Board, superseding the 1991 Bay-Delta Plan. The Bay-Delta Plan identifies the beneficial uses of the estuary and includes objectives for flow, salinity, and endangered species protection.

The Bay-Delta Plan attempts to create a management plan that is acceptable to the stakeholders while, at the same time, is protective of beneficial uses of the Sacramento – San Joaquin Delta. The State Water Board adopted Decision 1641 (D-1641) on 29 December 1999. D-1641 implements flow objectives for the Bay-Delta Estuary, approves a petition to change points of diversion of the Central Valley Project and the State Water Project in the Southern Delta, and approves a petition to change places of use and purposes of use of the Central Valley Project. The water quality objectives of the Bay-Delta Plan are implemented as part of this Order.

- J. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and 9 November 1999. About 40 criteria in the NTR applied in California. On 18 May 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on 13 February 2001. These rules contain water quality criteria for priority pollutants.

- K. State Implementation Policy.** On 2 March 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on 28 April 2000 with respect to the priority pollutant criteria promulgated for California by USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plans. The SIP became effective on 18 May 2000 with respect to the priority pollutant criteria promulgated by USEPA through the CTR. The State Water Board adopted amendments to the SIP on 24 February 2005 that became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and

objectives and provisions for chronic toxicity control.

Section 5.3 of the SIP authorizes the Regional Water Board, after compliance with the California Environmental Quality Act (CEQA), to allow certain dischargers short-term or seasonal exceptions from meeting the priority pollutant criteria and objectives if the Regional Water Board determines the discharge is necessary to implement control measures regarding drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code.

This General Order authorizes a categorical exception to the criteria and objectives in the CTR and SIP for Dischargers who submit the information required by section 5.3 of the SIP as outlined in Attachment G and meet the exception criteria, as determined by the Regional Water Board. As required by the SIP, Dischargers authorized to discharge under this General Order with an exception to the priority pollutant criteria and objectives must provide certification by a qualified biologist that the receiving water beneficial uses have been restored upon completion of the project. This General Order requires full compliance with the requirements of the CTR and SIP for all other authorized discharges.

**L. Alaska Rule.** On 30 March 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes [40 CRR 131.21; 65 Fed. Reg. 24641 (27 April 2000)]. Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after 30 May 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by 30 May 2000 may be used for CWA purposes, whether or not approved by USEPA.

**M. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based effluent limitations and WQBELs for individual pollutants. The technology-based effluent limitations consist of restrictions on 5-day biochemical oxygen demand (BOD<sub>5</sub>) and total suspended solids (TSS). This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements.

WQBELs have been scientifically derived to implement water quality objectives that protect beneficial uses. The WQBELs consist of restrictions on chlorine residual, pH, and settleable solids. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR 131.38. The scientific procedures for calculating the individual WQBELs for priority pollutants are based on the CTR-SIP, which was approved by USEPA on 18 May 2000. All beneficial uses and water quality objectives contained in the Basin Plans were approved under state law and submitted to and approved by USEPA prior to 30 May 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to 30 May 2000, but not approved by USEPA before that date, are nonetheless "*applicable water quality standards for purposes of the [Clean Water] Act*" pursuant to 40 CFR 131.21(c)(1). Collectively, this Order's

restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.

- N. Antidegradation Policy.** 40 CFR 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plans implement, and incorporate by reference, both the state and federal antidegradation policies. As described in the Fact Sheet (Attachment F), due to the short-term and low volume nature of discharge expected from discharges regulated under this General Order, the impact on existing water quality will be insignificant. If, however, the Regional Water Board, subsequent to review of any Notice of Intent, finds that the impact of a discharge will not be insignificant, then authorization for coverage under this General Order will be denied and coverage under an individual permit will be required (including preparation of an antidegradation analysis).
- O. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in Order No. 5-00-175.
- P. Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limitations, receiving water limitations, and other requirements to protect the beneficial uses of waters of the state. The discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
- Q. Monitoring and Reporting.** 40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. CWC sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. The Monitoring and Reporting Program is provided in Attachment E.
- R. Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under 40 CFR 122.42. The Regional Water

Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the Fact Sheet.

- S. Provisions and Requirements Implementing State Law.** The provisions/requirements in section VII.A.2.r of this Order are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- T. Notification of Interested Parties.** The Regional Water Board has notified interested agencies and persons of its intent to prescribe WDRs for dewatering and other low threat discharges to surface waters. Details of notification are provided in the Fact Sheet of this Order.
- U. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to dewatering and other low threat discharges to surface waters. Details of the Public Hearing are provided in the Fact Sheet.

#### IV. DISCHARGE PROHIBITIONS

- A.** The discharge of wastes other than those which meet eligibility criteria in Section II.C of this Order is prohibited unless the Discharger obtains coverage under another general or individual Order that regulates the discharge of such wastes.
- B.** The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C.** Neither the discharge nor its treatment shall create a nuisance as defined in section 13050 of the CWC.
- D.** A Discharger shall not allow pollutant-free wastewater to be discharged into the treatment and disposal system (if applicable) in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means rainfall, groundwater, cooling waters, and condensates that are essentially free of pollutants.
- E.** Discharge of polluted groundwater is prohibited.
- F.** Discharges having an average dry weather discharge flow exceeding 0.25 MGD are prohibited unless the discharge is 4 months or less in duration.

## V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

### A. Effluent Limitations – Applicable to All Dewatering and Other Low Threat Discharges

#### 1. Final Effluent Limitations

- a. The discharge of pollutants from dewatering and other low threat discharges shall not exceed the following effluent limitations:

**Table 3. Effluent Limitations**

Parameter	Units	Effluent Limitations		
		Average Monthly	Weekly Average	Maximum Daily
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	10	15	30
Total Suspended Solids	mg/L	10	15	30
Settleable Solids	mL/L	--	--	0.1

- b. **Total Residual Chlorine.** Effluent total residual chlorine shall not exceed:

- i. 0.011 mg/L, as a 4-day average; and
- ii. 0.019 mg/L, as a 1-hour average.

### B. Effluent Limitations – Applicable to Dewatering and Other Low Threat Discharges to Specific Waterbodies

#### 1. Final Effluent Limitations – Discharges within the Sacramento and San Joaquin River Basins (Except Goose Creek)

The pH of all dewatering and other low threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.

#### 2. Final Effluent Limitations – Discharges to Goose Creek

The pH of all dewatering and other low threat discharges to Goose Creek shall at all times be within the range of 7.5 and 9.5.

#### 3. Final Effluent Limitations – Discharges within the Tulare Lake Basin

The pH of all dewatering and other low threat discharges within the Tulare Lake Basin shall at all times be within the range of 6.5 and 8.3.

### C. Land Discharge Specifications

[Not Applicable]

### D. Reclamation Specifications

[Not Applicable]

## VI. RECEIVING WATER LIMITATIONS

### A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plans for the Sacramento and San Joaquin River Basin and the Tulare Lake Basin and are a required part of this Order. Compliance with any amendment or revision to the water quality objectives contained in the Basin Plans adopted by the Regional Water Board subsequent to adoption of this Order is also required. Any discharge authorized for coverage under this General Order shall not cause the following in the receiving water:

1. **Un-ionized Ammonia.** Un-ionized ammonia to be present in amounts that adversely affect beneficial uses or in excess of 0.025 mg/L (as N) in waterbodies in the Tulare Lake Basin.
2. **Bacteria.** The fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, to exceed a geometric mean of 200 MPN/100 mL and no more than 10 percent of the total number of fecal coliform samples taken during any 30-day period to exceed 400 MPN/100 mL.
3. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
4. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.
5. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.
6. **Dissolved Oxygen.** For surface waters outside of the Delta for the Sacramento and San Joaquin River Basins and for the Tulare Lake Basin:
  - a. The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass;
  - b. The 95 percentile dissolved oxygen concentration to fall below 75 percent of saturation;
  - c. The dissolved oxygen concentration to be reduced below 5.0 for water bodies designated WARM mg/L at any time; nor
  - d. The dissolved oxygen concentration to be reduced below 5.0 for water bodies designated WARM mg/L at any time; nor

Within the legal boundaries of the Delta, the dissolved oxygen concentrations shall not be reduced below: 7.0 mg/L in the Sacramento River (below the I Street Bridge) and in all Delta waters west of the Antioch Bridge; 6.0 mg/L in the San Joaquin River (between Turner Cut and Stockton, 1 September through 30 November); and 5.0 mg/L in all other Delta waters except those bodies of water which are constructed for

special purposes and from which fish have been excluded or where the fishery is not important as a beneficial use.

7. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.
8. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
9. **pH.** The pH to be depressed below 6.5, raised above 8.5, nor changed by more than 0.5 units for the Sacramento and San Joaquin River Basins (except Goose Creek). The pH to be depressed below 7.5, nor raised above 9.5 within Goose Creek. The pH to be depressed below 6.5, raised above 8.3, nor changed by more than 0.3 units for the Tulare Lake Basin.

**10. Pesticides:**

- a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses;
- b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses;
- c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by USEPA or the Executive Officer for the Sacramento and San Joaquin River Basins or prescribed in Standard Methods for the Examination of Water and Wastewater, 18th Edition, or other equivalent methods approved by the Executive Officer for the Tulare Lake Basin;
- d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR 131.12.) for the Sacramento and San Joaquin River Basins;
- e. Pesticide concentrations to exceed the lowest levels technically and economically achievable for the Sacramento and San Joaquin River Basins;
- f. Pesticides to be present in concentrations in excess of the maximum contaminant levels (MCLs) set forth in CCR, Title 22, division 4, chapter 15 for the Sacramento and San Joaquin River Basins or as specified in Table 64444-A (Organic Chemicals) of section 64444 of Title 22 of the CCR for the Tulare Lake Basin; nor
- g. Thiobencarb to be present in excess of 1.0 µg/L for the Sacramento and San Joaquin River Basins.

**11. Radioactivity:**

- a. Radionuclides to be present in concentrations that are harmful or deleterious to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.

- b. Radionuclides to be present in excess of the MCLs specified in Table 4 (MCL Radioactivity) of Section 64443 of Title 22 of the California Code of Regulations.

**12. Suspended Sediments.** The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

**13. Settleable Substances.** Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

**14. Suspended Material.** Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

**15. Taste and Odors.** Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses or domestic or municipal water supplies.

**16. Temperature.** The natural temperature to be increased by more than 5°F.

**17. Total Dissolved Solids.** The total dissolved solids to exceed 1,000 mg/L.

**18. Toxicity.** Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

**19. Turbidity.** The turbidity to increase as follows:

- a. More than 1 Nephelometric Turbidity Unit (NTU) where natural turbidity is between 0 and 5 NTUs.
- b. More than 20 percent where natural turbidity is between 5 and 50 NTUs.
- c. More than 10 NTU where natural turbidity is between 50 and 100 NTUs.
- d. More than 10 percent where natural turbidity is greater than 100 NTUs.

## **B. Groundwater Limitations**

**[Not Applicable]**



## VII. PROVISIONS

### A. Standard Provisions

1. All Dischargers authorized to discharge under this General Order shall comply with all Standard Provisions included in Attachment D of this Order.
2. All Dischargers authorized to discharge under this General Order shall comply with the following provisions:
  - a. If a Discharger's wastewater treatment plant is publicly owned or subject to regulation by California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, division 3, chapter 26.
  - b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
    - i. violation of any term or condition contained in this Order;
    - ii. obtaining this Order by misrepresentation or by failing to disclose fully all relevant facts;
    - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
    - iv. a material change in the character, location, or volume of discharge.

The causes for modification include:

- *New regulations.* New regulations have been promulgated under section 405(d) of the CWA, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
- *Land application plans.* When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
- *Change in sludge use or disposal practice.* Under 40 CFR 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Regional Water Board may review and revise this Order at any time upon application of any affected person or the Regional Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under section

307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Regional Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
  - i. contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
  - ii. controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.
- g. The discharge of any radiological, chemical or biological warfare agent or high-level, radiological waste is prohibited.
- h. A copy of this Order and the Notice of Applicability shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- i. Safeguard to electric power failure:
  - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
  - ii. Upon written request by the Regional Water Board a Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an

analysis of the frequency, duration, and impact of power failures experienced over the past 5 years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Regional Water Board.

- iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Regional Water Board not approve the existing safeguards, the Discharger shall, within 90 days of having been advised in writing by the Regional Water Board that the existing safeguards are inadequate, provide to the Regional Water Board and USEPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Regional Water Board, become a condition of this Order.
- j. A Discharger, upon written request of the Regional Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with that required under Regional Water Board Standard Provision contained in section VII.A.2.k. of this Order.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.
- ii. Evaluate the effectiveness of present facilities and procedures and state when they became operational.
- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Regional Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of the Notice of Applicability, upon notice to the Discharger.

- k. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical

reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

- l.** Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Regional Water Board and USEPA.
- m.** Effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- n.** All monitoring and analysis instruments and devices used by a Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, to ensure their continued accuracy.
- o.** Each Discharger shall file with the Regional Water Board technical reports on self-monitoring performed according to the detailed specifications contained in the Monitoring and Reporting Program attached to this Order.
- p.** The results of all monitoring required by this Order shall be reported to the Regional Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements contained in the Notice of Applicability. Unless otherwise specified, discharge flows shall be reported in terms of the monthly average and the daily maximum discharge flows.
- q.** The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the CWC, including, but not limited to, sections 13385, 13386, and 13387.
- r.** In the event a Discharger does not comply or will be unable to comply for any reason, with any prohibition, maximum daily effluent limitation, 1-hour average effluent limitation, or receiving water limitation contained in this Order, the Discharger shall notify the Regional Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within 5 days, unless the Regional Water Board waives confirmation. The written notification shall include the information required by the Standard Provision contained in Attachment D section V.E.1.  
[40 CFR 122.41(l)(6)(i)].

## **B. Monitoring and Reporting Program Requirements**

Each Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order as specified in the Notice of Applicability from the Executive Officer.

## C. Special Provisions

### 1. Reopener Provisions

- a. This Order may be reopened for modification, or revocation and reissuance in accordance with the provisions contained in 40 CFR 122.62.
- b. Conditions that necessitate a major modification of a permit are described in 40 CFR 122.62, including:
  - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.
  - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.

**c. Total Residual Chlorine.** If a statewide policy for total residual chlorine is adopted during the term of this Order, this Order may be reopened and modified to maintain consistency with the statewide policy.

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### 2. Special Studies, Technical Reports, and Additional Monitoring Requirements

- a. **Pollution Prevention and Monitoring and Reporting Plan (PPMRP).** Water suppliers enrolling under this General Order that have or propose to have numerous discharge points shall prepare and implement a PPMRP in lieu of the specific Effluent Monitoring Requirements and Receiving Water Monitoring Requirements contained in sections IV and VIII of the Monitoring and Reporting Program (Attachment E). The PPMRP must be submitted with the Notice of Intent and is subject to approval by the Executive Officer. The PPMRP shall include, at a minimum, the elements identified in Attachment H and shall be prepared and implemented in accordance with the General Monitoring Provisions, Other Monitoring Requirements, and Reporting Requirements contained in sections I, IX, and X, respectively, of the Monitoring and Reporting Program (Attachment E).

### 3. Best Management Practices and Pollution Prevention

- a. **Salinity.** Each Discharger authorized to discharge under this General Order shall utilize practices to minimize discharges of salinity.

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### 4. Construction, Operation and Maintenance Specifications

[Not Applicable]

### 5. Special Provisions for Municipal Facilities (POTWs Only)

[Not Applicable]

## **6. Other Special Provisions**

- a.** In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Regional Water Board.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Regional Water Board and a statement. The statement shall comply with the signatory and certification requirements in the federal Standard Provisions (Attachment D, section V.B.) and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the CWC. Transfer shall be approved or disapproved in writing by the Executive Officer.

- b.** Collected screenings and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with Chapter 15, Division 3, Title 23 of the CCR and approved by the Executive Officer.

Any proposed change in solids use or disposal practice shall be reported to the Executive Officer and USEPA Regional Administrator at least 90 days in advance of the change.

## **7. Compliance Schedules**

**[Not Applicable]**

## VIII. COMPLIANCE DETERMINATION

**A. Total Residual Chlorine Effluent Limitations.** Monitoring for chlorine residual or for dechlorination agent residual in the effluent is an appropriate method for compliance determination. A positive residual dechlorination agent in the effluent indicates that chlorine is not present in the discharge, which demonstrates compliance with the effluent limitations. This type of monitoring can also be used to prove that some chlorine residual exceedances are false positives. For Dischargers that dechlorinate, field monitoring data showing either a positive dechlorination agent residual or a chlorine residual at or below the prescribed limit is sufficient to show compliance with the total residual chlorine effluent limitations, as long as the instruments are maintained and calibrated in accordance with the manufacturer's recommendations.

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Any quantifiable excursion above the 1-hour average or 4-day average total residual chlorine effluent limitations is a violation. "Quantifiable" means any excursion greater than or equal to a reporting level of 0.08 mg/L, or any more stringent reporting level included in a final statewide policy or standard for total residual chlorine. If the Discharger conducts continuous monitoring and the Discharger can demonstrate, through data collected from a back-up monitoring system and submitted in its monitoring reports, that a chlorine spike recorded by the continuous monitor was not actually due to chlorine, then any excursion resulting from the recorded spikes may not be considered an exceedance, but rather reported as a false positive.

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## ATTACHMENT A – DEFINITIONS

### Arithmetic Mean ( $\mu$ )

Also called the average, is the sum of measured values divided by the number of samples.

For ambient water concentrations, the arithmetic mean is calculated as follows:

Arithmetic mean =  $\mu = \Sigma x / n$       where:  $\Sigma x$  is the sum of the measured ambient water concentrations, and  $n$  is the number of samples.

### Average Monthly Effluent Limitation (AMEL)

The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

### Average Weekly Effluent Limitation (AWEL)

The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

### Bioaccumulative

Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

### Carcinogenic

Pollutants are substances that are known to cause cancer in living organisms.

### Coefficient of Variation (CV)

CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

### Daily Discharge

Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of 1 day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.



**Detected, but Not Quantified (DNQ)**

DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL.

**Dilution Credit**

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

**Effluent Concentration Allowance (ECA)**

ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in USEPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

**Enclosed Bays**

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

**Estimated Chemical Concentration**

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

**Estuaries**

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in CWC section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

**Inland Surface Waters**

All surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

**Instantaneous Maximum Effluent Limitation**

The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

**Instantaneous Minimum Effluent Limitation**

The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

**Maximum Daily Effluent Limitation (MDEL)**

The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

**Median**

The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements ( $n$ ) is odd, then the median =  $X_{(n+1)/2}$ . If  $n$  is even, then the median =  $(X_{n/2} + X_{(n/2)+1})/2$  (i.e., the midpoint between the  $n/2$  and  $n/2+1$ ).

**Method Detection Limit (MDL)**

MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR Part 136, Attachment B, revised as of 3 July 1999.

**Minimum Level (ML)**

ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

**Mixing Zone**

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

**Not Detected (ND)**

Sample results which are less than the laboratory's MDL.

**Ocean Waters**

The territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

**Persistent Pollutants**

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

### **Pollutant Minimization Program (PMP)**

PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to CWC section 13263.3(d), shall be considered to fulfill the PMP requirements.

### **Pollution Prevention**

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Regional Water Board.

### **Reporting Level (RL)**

RL is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

### **Satellite Collection System**

The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

### **Source of Drinking Water**

Any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

### **Standard Deviation ( $\sigma$ )**

Standard Deviation is a measure of variability that is calculated as follows:

$$\sigma = (\sum[(x - \mu)^2]/(n - 1))^{0.5}$$

where:

$x$  is the observed value;

$\mu$  is the arithmetic mean of the observed values; and

$n$  is the number of samples.

### **Toxicity Reduction Evaluation (TRE)**

TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

## ATTACHMENT B – SCREENING REQUIREMENTS FOR ALL DISCHARGES<sup>a</sup>

- I. Dischargers seeking authorization to discharge under this General Order shall sample and analyze the effluent for the constituents contained in Table B-1. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent.

**Table B-1. Screening Levels for Priority Pollutants**

Priority Pollutant <sup>1</sup>	Units	Screening Level (Most Stringent Objective/Criterion)	Most Stringent Objective/Criteria		
			Human Health	Chronic Aquatic Life	Acute Aquatic Life
Antimony, Total Recoverable	µg/L	6	6	--	--
Arsenic, Total Recoverable	µg/L	10	10	150	340
Beryllium, Total Recoverable	µg/L	4	4	--	--
Chromium (VI)	µg/L	11	100	11	16
Mercury, Total Recoverable	µg/L	0.05	0.05	0.77	1.4
Selenium, Total Recoverable	µg/L	5.0	20	5.0	20
Thallium, Total Recoverable	µg/L	1.7	1.7	40	1,400
Cyanide, Total (as CN)	µg/L	5.2	150	5.2	22
Asbestos	MFL	7	7	--	--
2,3,7,8-TCDD (Dioxin)	µg/L	1.3E-08	1.3E-08	0.00001	0.01
Acrolein	µg/L	320	320	--	--
Acrylonitrile	µg/L	0.059	0.059	--	7,550
Benzene	µg/L	1	1	--	--
Bromoform	µg/L	4.3	4.3	--	--
Carbon Tetrachloride	µg/L	0.25	0.25	--	--
Chlorobenzene	µg/L	70	70	--	--
Chlorodibromomethane	µg/L	0.401	0.401	--	--
Chloroethane	µg/L	--	--	--	--
2-Chloroethylvinyl Ether	µg/L	--	--	--	--
Chloroform	µg/L	80	80	1,240	--
Dichlorobromomethane	µg/L	0.56	0.56	--	--
1,1-Dichloroethane	µg/L	5	5	--	--
1,2-Dichloroethane	µg/L	0.38	0.38	20,000	--
1,1-Dichloroethylene	µg/L	0.057	0.057	--	--
1,2-Dichloropropane	µg/L	0.52	0.52	5,700	--
1,3-Dichloropropylene	µg/L	0.5	0.5	244	6,060
Ethylbenzene	µg/L	300	300	--	--
Methyl Bromide	µg/L	48	48	--	11,000
Methyl Chloride	µg/L	--	--	--	--
Methylene Chloride	µg/L	4.7	4.7	--	--
1,1,2,2-Tetrachloroethane	µg/L	0.17	0.17	2,400	--
Tetrachloroethylene	µg/L	0.8	0.8	840	--
Toluene	µg/L	150	150	--	--
1,2-Trans-Dichloroethylene	µg/L	10	10	--	--

<sup>a</sup> Dischargers applying for a categorical exception for meeting the priority pollutant criteria/objectives as authorized by section 5.3 of the SIP are not required to perform wastewater sampling for the priority pollutants contained in Tables B-1 or B-2. Dischargers of low volume discharges seeking an exception to the sampling requirements contained in Tables B-1 and B-2 must submit justification that the existing or proposed discharge will have no significant adverse impact on water quality.

Priority Pollutant <sup>1</sup>	Units	Screening Level (Most Stringent Objective/Criterion)	Most Stringent Objective/Criteria		
			Human Health	Chronic Aquatic Life	Acute Aquatic Life
1,1,1-Trichloroethane	µg/L	200	200	--	18,000
1,1,2-Trichloroethane	µg/L	0.60	0.60	9,400	--
Trichloroethylene	µg/L	2.7	2.7	--	45,000
Vinyl Chloride	µg/L	0.5	0.5	--	--
2-Chlorophenol	µg/L	120	120	--	--
2,4-Dichlorophenol	µg/L	93	93	--	--
2,4-Dimethylphenol	µg/L	540	540	--	--
2-Methyl-4,6-Dinitrophenol	µg/L	13.4	13.4	--	230
2,4-Dinitrophenol	µg/L	70	70	--	230
2-Nitrophenol	µg/L	--	--	--	--
4-Nitrophenol	µg/L	--	--	--	--
3-Methyl-4-Chlorophenol	µg/L	--	--	--	--
Pentachlorophenol	µg/L	0.28	0.28	23	30
Phenol	µg/L	21,000	21,000	--	--
2,4,6-Trichlorophenol	µg/L	2.1	2.1	--	--
Acenaphthene	µg/L	1,200	1,200	--	--
Acenaphthylene	µg/L	--	--	--	--
Anthracene	µg/L	9,600	9,600	--	--
Benzidine	µg/L	0.00012	0.00012	--	2,500
Benzo(a)Anthracene	µg/L	0.0044	0.0044	--	--
Benzo(a)Pyrene	µg/L	0.0044	0.0044	--	--
Benzo(b)Fluoranthene	µg/L	0.0044	0.0044	--	--
Benzo(ghi)Perylene	µg/L	--	--	--	--
Benzo(k)Fluoranthene	µg/L	0.0044	0.0044	--	--
Bis(2-Chloroethoxy)Methane	µg/L	--	--	--	--
Bis(2-Chloroethyl)Ether	µg/L	0.031	0.031	122	238,000
Bis(2-Chloroisopropyl)Ether	µg/L	1,400	1,400	--	--
Bis(2-Ethylhexyl)Phthalate	µg/L	1.8	1.8	--	--
4-Bromophenyl Phenyl Ether	µg/L	--	--	--	--
Butylbenzyl Phthalate	µg/L	3,000	3,000	--	--
2-Chloronaphthalene	µg/L	1,700	1,700	--	--
4-Chlorophenyl Phenyl Ether	µg/L	--	--	--	--
Chrysene	µg/L	0.0044	0.0044	--	--
Dibenzo(a,h)Anthracene	µg/L	0.0044	0.0044	--	--
1,2-Dichlorobenzene	µg/L	600	600	763	--
1,3-Dichlorobenzene	µg/L	400	400	763	--
1,4-Dichlorobenzene	µg/L	5	5	763	--
3,3-Dichlorobenzidine	µg/L	0.04	0.04	--	--
Diethyl Phthalate	µg/L	23,000	23,000	--	--
Dimethyl Phthalate	µg/L	313,000	313,000	--	--
Di-n-Butyl Phthalate	µg/L	2,700	2,700	--	--
2,4-Dinitrotoluene	µg/L	0.11	0.11	230	330
2,6-Dinitrotoluene	µg/L	--	--	--	--
Di-n-Octyl Phthalate	µg/L	--	--	--	--
1,2-Diphenylhydrazine	µg/L	0.040	0.040	--	270
Fluoranthene	µg/L	300	300	--	--
Fluorene	µg/L	1,300	1,300	--	--
Hexachlorobenzene	µg/L	0.00075	0.00075	--	250
Hexachlorobutadiene	µg/L	0.44	0.44	9.3	90
Hexachlorocyclopentadiene	µg/L	50	50	--	--

Priority Pollutant <sup>1</sup>	Units	Screening Level (Most Stringent Objective/Criterion)	Most Stringent Objective/Criteria		
			Human Health	Chronic Aquatic Life	Acute Aquatic Life
Hexachloroethane	µg/L	1.9	1.9	540	980
Indeno(1,2,3-cd) Pyrene	µg/L	0.0044	0.0044	--	--
Isophorone	µg/L	8.4	8.4	--	117,000
Naphthalene	µg/L	--	--	--	--
Nitrobenzene	µg/L	17	17	--	27,000
N-Nitrosodimethylamine	µg/L	0.00069	0.00069	--	--
N-Nitrosodi-n-Propylamine	µg/L	0.005	0.005	--	5,850
N-Nitrosodiphenylamine	µg/L	5.0	5.0	--	5,850
Phenanthrene	µg/L	--	--	--	--
Pyrene	µg/L	960	960	--	--
1,2,4-Trichlorobenzene	µg/L	5	5	250	50
Aldrin	µg/L	0.00013	0.00013	--	3
alpha-BHC	µg/L	0.0039	0.0039	--	--
beta-BHC	µg/L	0.014	0.014	--	--
gamma-BHC	µg/L	0.019	0.019	0.08	0.95
delta-BHC	µg/L	--	--	--	--
Chlordane	µg/L	0.00057	0.00057	0.0043	2.4
4,4-DDT	µg/L	0.00059	0.00059	0.001	1.1
4,4-DDE	µg/L	0.00059	0.00059	--	--
4,4-DDD	µg/L	0.00083	0.00083	--	--
Dieldrin	µg/L	0.00014	0.00014	0.056	0.24
alpha-Endosulfan	µg/L	0.056	42	0.056	0.22
beta-Endosulfan	µg/L	0.056	110	0.056	0.22
Endosulfan Sulfate	µg/L	110	110	--	--
Endrin	µg/L	0.036	0.76	0.036	0.086
Endrin Aldehyde	µg/L	0.76	0.76	--	--
Heptachlor	µg/L	0.00021	0.00021	0.0038	0.52
Heptachlor Epoxide	µg/L	0.00010	0.00010	0.0038	0.52
PCBs sum <sup>2</sup>	µg/L	0.00017	0.00017	0.014	--
Toxaphene	µg/L	0.0002	0.00073	0.0002	0.73

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 and in accordance with the General Monitoring Provisions contained in section I of the Monitoring and Reporting Program (Attachment E).

<sup>2</sup> This objective applies to the sum of PCB Aroclors 1242, 1254, 1221, 1232, 1248, 1280, and 1016.

- II. Dischargers seeking authorization to discharge under this General Order shall sample and analyze the effluent for the constituents contained in Table B-2. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent. The screening levels contained in Table B-2 are based on hardness. For waters with hardness concentrations less than 50 mg/L, screening levels shall be based on a hardness value of 25 mg/L. For waters with hardness concentrations greater than or equal to 50 mg/L but less than 100 mg/L, screening levels shall be based on a hardness value of 75 mg/L. For waters with hardness concentrations greater than or equal to 100 mg/L but less than 200 mg/L, screening levels shall be based on a hardness value of 150 mg/L. For waters with hardness concentrations greater than or equal to 200 mg/L, screening levels shall be based on a hardness value of 200 mg/L.

**Table B-2. Screening Levels for Hardness-Dependent Metals**

Parameter <sup>1</sup>	Units	Hardness in mg/L (H)			
		H <50	50 ≤ H <100	100 ≤ H <200	H ≥200
		Screening Level	Screening Level	Screening Level	Screening Level
Cadmium, Total Recoverable	µg/L	0.83	1.96	3.4	4.24
Chromium (III)	µg/L	67	164	288	365
Copper, Total Recoverable	µg/L	2.85	7.3	13.2	16.9
Lead, Total Recoverable	µg/L	0.54	2.2	5.3	7.7
Nickel, Total Recoverable	µg/L	16.1	40.9	73.5	93.8
Silver, Total Recoverable	µg/L	0.37	2.47	8.15	13.4
Zinc, Total Recoverable	µg/L	37	93.9	168.9	215.6

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 and in accordance with the General Monitoring Provisions contained in section I of the Monitoring and Reporting Program (Attachment E).



## ATTACHMENT C – SCREENING REQUIREMENTS FOR DISCHARGES TO SPECIFIC WATERBODIES

- I. In addition to the analyses required in Attachment B, dischargers seeking authorization to discharge under this General Order to the Sacramento River from Keswick Dam to the I Street Bridge at City of Sacramento, American River from Folsom Dam to the Sacramento River, Folsom Lake, and the Sacramento-San Joaquin Delta shall sample and analyze the effluent for the constituents contained in Table C-1. The screening levels contained in Table C-1 for arsenic, copper, silver, and zinc supercede those contained in Attachment B for the same parameters. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent.

**Table C-1. Screening Levels for Discharges to the Sacramento River from Keswick Dam to the I Street Bridge at City of Sacramento, American River from Folsom Dam to the Sacramento River, Folsom Lake, and the Sacramento-San Joaquin Delta**

Parameter <sup>1</sup>	Units	Screening Level
Arsenic, Total Recoverable	mg/L	0.01
Copper, Total Recoverable	mg/L	0.01 <sup>2</sup>
Silver, Total Recoverable	mg/L	0.01
Zinc, Total Recoverable	mg/L	0.1 <sup>2</sup>

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 and in accordance with the General Monitoring Provisions contained in section I of the Monitoring and Reporting Program (Attachment E).

<sup>2</sup> Does not apply to Sacramento River above the State Highway 32 Bridge at Hamilton City.

- II. In addition to the analyses required in Attachment B, dischargers seeking authorization to discharge under this General Order to the Sacramento River and its tributaries above the State Highway 32 Bridge at Hamilton City shall sample and analyze the effluent for the constituents contained in Table C-2. The screening levels contained in Table C-2 for copper, zinc, and cadmium supercede those contained in Attachment B for the same parameters. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent. The screening levels contained in Table C-2 are based on hardness. For waters with hardness concentrations less than 50 mg/L, screening levels shall be based on a hardness value of 25 mg/L. For waters with hardness concentrations greater than or equal to 50 mg/L but less than 100 mg/L, screening levels shall be based on a hardness value of 75 mg/L. For waters with hardness concentrations greater than or equal to 100 mg/L but less than 200 mg/L, screening levels shall be based on a hardness value of 150 mg/L. For waters with hardness concentrations greater than or equal to 200 mg/L, screening levels shall be based on a hardness value of 200 mg/L.

**Table C-2. Screening Levels for Discharges to the Sacramento River and Its Tributaries Above the State Highway 32 Bridge at Hamilton City**

Parameter <sup>1</sup>	Units	Hardness in mg/L (H)			
		H <50	50 ≤ H <100	100 ≤ H <200	H ≥200
		Screening Level	Screening Level	Screening Level	Screening Level
Copper, Total Recoverable	µg/L	3.8	10.0	19.4	25.0
Zinc, Total Recoverable	µg/L	11.0	28.0	49.0	62.0
Cadmium, Total Recoverable	µg/L	0.13	0.49	1.0	1.6

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 and in accordance with the General Monitoring Provisions contained in section I of the Monitoring and Reporting Program (Attachment E).

- III. In addition to the analyses required in Attachment B, dischargers seeking authorization to discharge under this General Order within the Sacramento and San Joaquin River Basins and waters designated COLD in the Tulare Lake Basin shall sample and analyze the effluent for the constituents contained in Table C-3. The screening level contained in Table C-3 for persistent chlorinated hydrocarbon pesticides supercedes those contained in Attachment B for the same parameters. The results of the analyses shall be compared to the corresponding screening level and shall be submitted as part of the Notice of Intent.

**Table C-3. Screening Levels for Discharges Within the Sacramento and San Joaquin River Basins and Waters Designated as COLD in the Tulare Lake Basin**

Parameter <sup>1</sup>	Units	Screening Level
Persistent Chlorinated Hydrocarbon Pesticides	µg/L	ND <sup>2</sup>

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 and in accordance with the General Monitoring Provisions contained in section I of the Monitoring and Reporting Program (Attachment E).

<sup>2</sup> The non-detectable (ND) screening level applies to each individual pesticide. No individual pesticide may be present in the discharge at detectable concentrations. The Discharger shall use USEPA standard analytical techniques with a maximum acceptable detection level of 0.05 µg/L. Persistent chlorinated hydrocarbon pesticides include aldrin, dieldrin, chlordane, endrin, endrin aldehyde, heptachlor, heptachlor epoxide, hexachlorocyclohexane (alpha-BHC, beta-BHC, delta-BHC, and gamma-BHC or lindane), endosulfan (alpha and beta), endosulfan sulfate, toxaphene, 4,4'DDD, 4,4'DDE, and 4,4'DDT.

## **ATTACHMENT D – STANDARD PROVISIONS**

### **I. STANDARD PROVISIONS – PERMIT COMPLIANCE**

#### **A. Duty to Comply**

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 CFR 122.41(a).)
2. The Discharger shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 CFR 122.41(a)(1).)

#### **B. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 CFR 122.41(c).)

#### **C. Duty to Mitigate**

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d).)

#### **D. Proper Operation and Maintenance**

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 CFR 122.41(e).)

#### **E. Property Rights**

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 CFR 122.5(c).)

#### **F. Inspection and Entry**

The Discharger shall allow the Regional Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (40 CFR 122.41(i); CWC section 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (40 CFR 122.41(i)(1));
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (40 CFR 122.41(i)(2));
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (40 CFR 122.41(i)(3)); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location. (40 CFR 122.41(i)(4).)

#### **G. Bypass**

##### **1. Definitions**

- a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i).)
  - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 CFR 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR 122.41(m)(4)(i)):
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR 122.41(m)(4)(i)(A));
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 CFR 122.41(m)(4)(i)(B)); and
  - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 CFR 122.41(m)(4)(i)(C).)
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 CFR 122.41(m)(4)(ii).)
5. Notice
  - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. (40 CFR 122.41(m)(3)(i).)
  - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 CFR 122.41(m)(3)(ii).)

#### H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 CFR 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was

caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 CFR 122.41(n)(2).)

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 CFR 122.41(n)(3)):
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 CFR 122.41(n)(3)(i));
  - b. The permitted facility was, at the time, being properly operated (40 CFR 122.41(n)(3)(ii));
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 CFR 122.41(n)(3)(iii)); and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 CFR 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 CFR 122.41(n)(4).)

## II. STANDARD PROVISIONS – PERMIT ACTION

### A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 CFR 122.41(f).)

### B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 CFR 122.41(b).)

### C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC. (40 CFR 122.41(l)(3) and 122.61.)

### III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR 122.41(j)(1).)
- B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order. (40 CFR 122.41(j)(4) and 122.44(i)(1)(iv).)

### IV. STANDARD PROVISIONS – RECORDS

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least 5 years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time. (40 CFR 122.41(j)(2).)
- B. **Records of monitoring information shall include:**
  - 1. The date, exact place, and time of sampling or measurements (40 CFR 122.41(j)(3)(i));
  - 2. The individual(s) who performed the sampling or measurements (40 CFR 122.41(j)(3)(ii));
  - 3. The date(s) analyses were performed (40 CFR 122.41(j)(3)(iii));
  - 4. The individual(s) who performed the analyses (40 CFR 122.41(j)(3)(iv));
  - 5. The analytical techniques or methods used (40 CFR 122.41(j)(3)(v)); and
  - 6. The results of such analyses. (40 CFR 122.41(j)(3)(vi).)
- C. **Claims of confidentiality for the following information will be denied (40 CFR 122.7(b)):**
  - 1. The name and address of any permit applicant or Discharger (40 CFR 122.7(b)(1)); and
  - 2. Permit applications and attachments, permits and effluent data. (40 CFR 122.7(b)(2).)

## **V. STANDARD PROVISIONS – REPORTING**

### **A. Duty to Provide Information**

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. (40 CFR 122.41(h); Wat. Code, § 13267.)

### **B. Signatory and Certification Requirements**

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, V.B.6, and V.B.7 below. (40 CFR 122.41(k).)
2. For a corporation, all permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 CFR 122.22(a)(1).)
3. For a partnership or sole proprietorship, all permit applications shall be signed by a general partner or the proprietor, respectively. (40 CFR 122.22(a)(2).)
4. For a municipality, State, federal, or other public agency, all permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA). (40 CFR 122.22(a)(3).)
5. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described



in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 CFR 122.22(b)(1));
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 CFR 122.22(b)(2)); and
  - c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 CFR 122.22(b)(3).)
6. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 CFR 122.22(c).)
7. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 CFR 122.22(d).)

### **C. Monitoring Reports**

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 CFR 122.22(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 CFR 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use

or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board. (40 CFR 122.41(l)(4)(ii).)

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 CFR 122.41(l)(4)(iii).)

#### **D. Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 CFR 122.41(l)(5).)

#### **E. Twenty-Four Hour Reporting**

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. (40 CFR 122.41(l)(6)(i).)
2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 CFR 122.41(l)(6)(ii)):
  - a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR 122.41(l)(6)(ii)(A).)
  - b. Any upset that exceeds any effluent limitation in this Order. (40 CFR 122.41(l)(6)(ii)(B).)
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR 122.41(l)(6)(iii).)

#### **F. Planned Changes**

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 CFR 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (40 CFR 122.41(l)(1)(i)); or

2. If the discharge is not an existing manufacturing, commercial, mining, or silvicultural discharge as referenced in 40 CFR 122.42(a), the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR 122.41(l)(1)(ii).)

The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1). (40 CFR 122.41(l)(1)(ii).)

3. If the discharge is an existing manufacturing, commercial, mining, or silvicultural discharge, the alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii).)

#### **G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. (40 CFR 122.41(l)(2).)

#### **H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. (40 CFR 122.41(l)(7).)

#### **I. Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 CFR 122.41(l)(8).)

### **VI. STANDARD PROVISIONS – ENFORCEMENT**

- A. The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the CWC, including, but not limited to, sections 13385, 13386, and 13387

## **VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS**

### **A. Non-Municipal Facilities**

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Regional Water Board as soon as they know or have reason to believe (40 CFR 122.42(a)):

- 1.** That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 CFR 122.42(a)(1)):
  - a.** 100 micrograms per liter (µg/L) (40 CFR 122.42(a)(1)(i));
  - b.** 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 CFR 122.42(a)(1)(ii));
  - c.** Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR 122.42(a)(1)(iii)); or
  - d.** The level established by the Regional Water Board in accordance with 40 CFR 122.44(f). (40 CFR 122.42(a)(1)(iv).)
- 2.** That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 CFR 122.42(a)(2)):
  - a.** 500 micrograms per liter (µg/L) (40 CFR 122.42(a)(2)(i));
  - b.** 1 milligram per liter (mg/L) for antimony (40 CFR 122.42(a)(2)(ii));
  - c.** Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 CFR 122.42(a)(2)(iii)); or
  - d.** The level established by the Regional Water Board in accordance with section 122.44(f). (40 CFR 122.42(a)(2)(iv).)

## ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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## **ATTACHMENT E – MONITORING AND REPORTING PROGRAM**

Title 40 of the Code of Federal Regulations (CFR), Part 122.48 (40 CFR 122.48) requires that all National Pollutant Discharge Elimination System (NPDES) permits specify monitoring and reporting requirements. California Water Code (CWC) sections 13267 and 13383 also authorize the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This Monitoring and Reporting Program establishes monitoring and reporting requirements, which implement the federal and California regulations.

### **I. GENERAL MONITORING PROVISIONS**

- A.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of this Regional Water Board.
- B.** Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the Department of Public Health (DPH; formerly the Department of Health Services). In the event a certified laboratory is not available to the Discharger, analyses performed by a non-certified laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program must be kept in the laboratory and shall be available for inspection by Regional Water Board staff. The Quality Assurance-Quality Control Program must conform to USEPA guidelines or to procedures approved by the Regional Water Board.
- C.** All analyses shall be performed in a laboratory certified to perform such analyses by DPH. Laboratories that perform sample analyses shall be identified in all monitoring reports.
- D.** Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.
- E.** Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this Monitoring and Reporting Program.
- F.** Laboratories analyzing monitoring samples shall be certified by DPH, in accordance with the provision of CWC section 13176, and must include quality assurance/quality control data with their reports.

## II. MONITORING LOCATIONS

Each Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

**Table E-1. Monitoring Station Locations**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001 <sup>1</sup>	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to surface water.
--	RSW-001	Shall be located 50 feet upstream from the point of discharge.
--	RSW-002	Shall be located 50 feet downstream from the point of discharge.

<sup>1</sup> Dischargers enrolled under this General Order for more than one discharge point must comply with effluent limitations and monitoring requirements at each discharge point.

## III. INFLUENT MONITORING REQUIREMENTS

[Not Applicable]

## IV. EFFLUENT MONITORING REQUIREMENTS

### A. Monitoring Location EFF-001

1. For discharges having a duration greater than 4 months, the Discharger shall monitor the dewatering or low threat wastewater at EFF-001 as follows:

**Table E-2. Effluent Monitoring – Discharges Greater than 4 Months in Duration**

Parameter	Units	Sample Type	Minimum Sampling Frequency <sup>1</sup>	Required Analytical Test Method
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	Grab	1/Quarter	<sup>2</sup>
Chlorine, Total Residual	mg/L	Grab	1/Quarter	<sup>2,3,4</sup>
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter	<sup>2</sup>
Flow	MGD	Meter	Continuous	<sup>2</sup>
pH	standard units	Grab	1/Month	<sup>2</sup>
Settleable Solids	mL/L	Grab	1/Quarter	<sup>2</sup>
Total Suspended Solids	mg/L	Grab	1/Quarter	<sup>2</sup>
Temperature	°F	Grab	1/Month	<sup>2</sup>

Parameter	Units	Sample Type	Minimum Sampling Frequency <sup>1</sup>	Required Analytical Test Method
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<sup>1</sup> If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the table.

<sup>2</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

<sup>3</sup> A handheld field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

<sup>4</sup> Total chlorine residual must be monitored with a method sensitive to and accurate at a reporting level of 0.08 mg/L, or any more stringent reporting level included in a final statewide policy or standard for total residual chlorine.

2. For discharges having a duration less than 4 months, the Discharger shall monitor the dewatering or low threat wastewater at EFF-001 as follows:

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**Table E-3. Effluent Monitoring – Discharges Less than 4 Months in Duration**

Parameter	Units	Sample Type	Minimum Sampling Frequency <sup>1,2</sup>	Required Analytical Test Method
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	Grab	2/Month	<sup>3</sup>
Chlorine, Total Residual	mg/L	Grab	<u>1/Discharge Event</u>	<sup>3,4,5</sup>
Electrical Conductivity @ 25°C	µmhos/cm	Grab	2/Month	<sup>3</sup>
pH	standard units	Grab	2/Month	<sup>3</sup>
Settleable Solids	mL/L	Grab	2/Month	<sup>3</sup>
Total Suspended Solids	mg/L	Grab	2/Month	<sup>3</sup>

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<sup>1</sup> If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the table.

<sup>2</sup> The first sample shall be collected at the start of discharge.

<sup>3</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

<sup>4</sup> A handheld field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

<sup>5</sup> Total chlorine residual must be monitored with a method sensitive to and accurate at a reporting level of 0.08 mg/L, or any more stringent reporting level included in a final statewide policy or standard for total residual chlorine.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

[Not Applicable]



## VI. LAND DISCHARGE MONITORING REQUIREMENTS

[Not Applicable]

## VII. RECLAMATION MONITORING REQUIREMENTS

[Not Applicable]

## VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER

### A. Monitoring Locations RSW-001 and RSW-002

1. For discharges having a duration greater than 4 months, the Discharger shall monitor the receiving water at RSW-001 and RSW-002 as follows:

**Table E-4. Receiving Water Monitoring Requirements – Discharges Greater than 4 Months in Duration**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	1/Month	<sup>1</sup>
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Month	<sup>1</sup>
pH	standard units	Grab	1/Month	<sup>1</sup>
Temperature	°F	Grab	1/Month	<sup>1</sup>

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

2. For discharges having a duration less than 4 months, the Discharger shall monitor the receiving water at RSW-001 and RSW-002 as follows:

**Table E-5. Receiving Water Monitoring Requirements – Discharges Less than 4 Months in Duration**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	2/Week	<sup>1</sup>
Electrical Conductivity @ 25°C	µmhos/cm	Grab	2/Week	<sup>1</sup>
pH	standard units	Grab	2/Week	<sup>1</sup>
Temperature	°F	Grab	2/Week	<sup>1</sup>

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

3. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002. Attention shall be given to the presence or absence of:
  - a. Floating or suspended matter;
  - b. Discoloration;
  - c. Bottom deposits;

- d. Aquatic life;
- e. Visible films, sheens, or coatings;
- f. Fungi, slimes, or objectionable growths; and
- g. Potential nuisance conditions.

Notes on receiving water conditions shall be summarized in the monitoring report.

## **IX. OTHER MONITORING REQUIREMENTS**

### **A. Post-Discharge Report**

A post-discharge report shall be submitted after each discharge. The report shall include:

1. Any variations from the Notice of Intent;
2. If the discharge resulted in any discoloration or turbidity in the receiving water and an explanation of upstream and downstream conditions identified in the receiving water monitoring required by section VII.A.3 of this Monitoring and Reporting Program;
3. Identification and explanation of any violations of this General Order;
4. Explanation of corrective actions taken to comply with this General Order; and
5. Identification and explanation of any complaints caused by the discharge.

## **X. REPORTING REQUIREMENTS**

### **A. General Monitoring and Reporting Requirements**

1. New Dischargers who have received a Notice of Applicability for coverage under this General Order shall inform this Regional Water Board 24 hours before the start of the discharge.
2. Authorized Dischargers shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
3. Upon written request of the Regional Water Board, a Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
4. A Discharger shall report to the Regional Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.

5. Monitoring frequencies may be adjusted by the Executive Officer to a less frequent basis if a Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

## B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State Water Board or the Regional Water Board may notify authorized Dischargers to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, each Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. Authorized Dischargers shall report in the SMR the results for all monitoring specified in this Monitoring and Reporting Program under sections III through IX. Dischargers shall submit quarterly SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If a Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table E-6. Monitoring Periods and Reporting Schedule**

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
<u>1/Discharge Event</u>	<u>Notice of Applicability effective date</u>	<u>All</u>	<u>1 May</u> <u>1 August</u> <u>1 November</u> <u>1 February</u>
Continuous	Notice of Applicability effective date	All	1 May 1 August 1 November 1 February
2/Week	Sunday following Notice of Applicability effective date or on Notice of Applicability effective date if on a Sunday	Sunday through Saturday	1 May 1 August 1 November 1 February
1/Month	First day of calendar month following Notice of Applicability effective date or on Notice of Applicability effective date if that date is first day of the month	First day of calendar month through last day of calendar month	1 May 1 August 1 November 1 February
2/Month	First day of calendar month following Notice of Applicability effective date or on Notice of Applicability effective date if that date is first day of the month	First day of calendar month through last day of calendar month	1 May 1 August 1 November 1 February

1/Quarter	Closest of 1 January, 1 April, 1 July, or 1 October following (or on) Notice of Applicability effective date	1 January through 1 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 August 1 November 1 February
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- 4. Reporting Protocols.** Authorized Dischargers shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (+ a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
- d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

- 5. Compliance Determination.** Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional Water Board and the State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

- 6. Multiple Sample Data.** When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, each Discharger shall compute the arithmetic mean unless the data set contains one or

more reported determinations of “Detected, but Not Quantified” (DNQ) or “Not Detected” (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

- a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
  - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
7. Authorized Dischargers shall submit SMRs in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
  - b. Each Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
  - c. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

Regional Water Quality Control Board  
Central Valley Region  
NPDES Compliance and Enforcement Unit  
11020 Sun Center Dr., Suite #200  
Rancho Cordova, CA 95670-6114

### C. Discharge Monitoring Reports (DMRs)

[Not Applicable]

### D. Other Reports

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## **ATTACHMENT F – FACT SHEET**

As described in the Findings in section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

### **I. PERMIT INFORMATION**

#### **A. Background**

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act) was amended to provide that the discharge of pollutants to waters of the United States from any point source is effectively prohibited unless the discharge is in compliance with an National Pollutant Discharge Elimination System (NPDES) Permit.

On 22 September 1989, the United States Environmental Protection Agency (USEPA) granted the State of California, through the State Water Resources Control Board (State Water Board) and the Regional Water Quality Control Boards (Regional Water Boards), the authority to issue general NPDES permits pursuant to 40 Code of Federal Regulations (CFR) Parts 122 and 123.

40 CFR 122.28 provides for issuance of general permits to regulate a category of point sources if the sources involve the same or substantially similar types of operations; discharge the same type of waste; require the same type of effluent limitations or operating conditions; require similar monitoring; and are more appropriately regulated under a general order rather than individual orders.

Dischargers of dewatering and other low threat wastewaters to surface waters of the United States are currently regulated by Order No. 5-00-175, which was adopted on 16 June 2000 and expired on 1 June 2005. The terms and conditions of the current Order have been automatically continued and remain in effect until new Waste Discharge Requirements (WDRs) and NPDES permit are adopted pursuant to this Order.

#### **B. General Criteria**

1. This Order serves as a general NPDES Permit for the discharge to surface waters of wastewater with a low threat to water quality. The following dewatering and other low threat discharges may be covered under this General Order:
  - a. Well development water, which includes discharges associated with supply well installation, development, test pumping and purging;



- b.** Construction dewatering;
  - c.** Pump/well testing, which includes discharges associated with the operation and maintenance activities of existing pumps and wells;
  - d.** Pipeline/tank pressure testing, which includes discharges associated with hydrostatic testing;
  - e.** Pipeline/tank flushing or dewatering, which includes discharges associated with flushing, cleaning, and disinfection;
  - f.** Condensate, which includes discharges associated with atmospheric condensates such as refrigeration, air conditioners, and compressor condensates and cooling towers;
  - g.** Water supply system, which includes discharges associated with fire hydrant flushes and system operation, maintenance, and testing activities of a water supply system; and
  - h.** Miscellaneous dewatering and low threat discharges, which includes discharges from potable water sources, drinking fountain water, foundation or footage drainage, sea water infiltration and discharges from fire fighting activities, irrigation of vegetative erosion control measures, street wash water, diverted stream flows, water from crawl space pumps, lawn watering, individual residential car washing, rising groundwaters and natural springs, groundwater infiltration as defined in 40 CFR 35.2005(b)(20) and uncontaminated pumped groundwater, flows from riparian habitats and wetlands, waters not otherwise containing wastes as defined in California Water Code (CWC) section 13050(d), and other types of discharges identified and recommended by the permittees and approved by the Regional Water Board.
- 2.** On 17 April 1997, the State Water Board adopted Order No. 97-03-DWQ, NPDES General Permit No. CAS000001 for the regulation of storm water discharges associated with industrial activities. Special Condition D.1 of Order No. 97-03-DWQ authorizes non-storm water discharges. Special Condition D.1.c of Order No. 97-03-DWQ allows the Regional Water Board to establish additional monitoring and reporting requirements for these discharges. The Regional Water Board finds that the additional monitoring and reporting requirements and discharge limitations contained in this Order are necessary to assure compliance with water quality objectives and standards and that coverage under this Order is therefore necessary for the following discharges listed in Special Condition D.1 of Order No. 97-03-DWQ: fire hydrant flushing; potable water sources, including potable water related to the operation, maintenance, or testing of potable water systems; atmospheric condensates including refrigeration, air conditioning and compressor condensate, and groundwater dewatering systems.
- 3.** On 19 August 1999, the State Water Board adopted Order No. 99-08-DWQ, NPDES General Permit No. CAS000002 for the regulation of storm water discharges

associated with construction activities. Special Provision C.3 of Order No. 99-08-DWQ allows for the limited discharge of non-storm water discharges where they do not cause or contribute to a violation of any water quality standard. The Receiving Water Limitations of Order No. 99-08-DWQ requires compliance with all applicable water quality standards including those contained in the Basin Plans. The Regional Water Board finds that Order No. 99-08-DWQ provides adequate water quality protection and compliance monitoring. Non-storm water discharges related to construction activities may continue to be regulated under Order No. 99-08-DWQ while construction activities continue.

4. This Order does not cover the following:
  - a. The treatment and discharge of water causing acute or chronic toxicity in the receiving water or containing chemicals or organic constituents, bacteria, herbicides, pesticides, oil and grease, radioactivity, salinity, or temperatures that may adversely threaten beneficial uses;
  - b. Wastewaters discharged to municipal wastewater collection systems;
  - c. Discharges to ponds, infiltration basins, spray disposal areas, subsurface infiltration, or other methods not involving discharge to surface waters and surface water drainage courses; and
  - d. Discharges of polluted groundwater, treated or untreated. There are many sites of groundwater pollution in the Central Valley Region of California. The pollution may have been caused by many factors including industrial activity, underground leaking tanks, and farming practices. This General Order is not intended for discharges of groundwater where such pollution exists, even if the project and/or proponent has no connection with the pollution.
5. Dischargers of dewatering and other low threat discharges who are already covered under the NPDES program, whether by general or individual permit other than Order No. 5-00-175, may elect to continue coverage under the existing permit or may submit a complete Notice of Intent for coverage under this General Order. Dischargers who submit a complete Notice of Intent under this General Order are not required to submit an individual permit application. The Regional Water Board may request additional information and determine that a Discharger is not eligible for coverage under this General Order and would be better regulated under an individual or other general NPDES permit or, for discharges to land, under WDRs. If the Regional Water Board issues an NPDES permit or WDRs, the applicability of this General Order to the specified discharge is immediately terminated on the effective date of the NPDES permit or WDRs.

## II. NOTIFICATION REQUIREMENTS

**A.** Dischargers enrolling for coverage under this General Order are required to submit a complete Notice of Intent, as detailed in Attachment G, which includes:

1. General information about the Discharger and the existing or proposed discharge.
2. A project map which includes the location of the project, discharge point(s), and receiving water. The map shall also identify wells and residences within 1,500 feet.
3. Evaluation of reclamation options.

Pursuant to section 2, Article X, California Constitution, and CWC section 275, on preventing waste and unreasonable use of waters of the state, the Regional Water Board encourages, wherever practicable, water conservation and/or re-use of wastewater. Therefore, to obtain coverage under this Order, Dischargers are required to evaluate their reclamation options. These options include:

**a.** Sanitary Sewage System

If all the discharge is accepted by the local municipal wastewater treatment plant (WWTP), then authorization to discharge under an NPDES permit is not needed for the proposed project. Dischargers may submit any denial or restrictive flow letter from the WWTP as proof that this option is not viable or explain why it is infeasible to connect to the WWTP.

**b.** Land Disposal

The land disposal option is usually restricted to the dry season (May through October) unless the Discharger can prove that the discharge can be retained on land during the wet season (November through April). All Dischargers must fully explain why land disposal is not a viable option.

**c.** Underground Injection

Additional information regarding the feasibility of underground injection as a disposal option can be obtained from the USEPA Region 9 Office, Underground Injection Control Unit.

**4.** Blueprints of the proposed treatment system.

Though treatment of the effluent is not required by this General Order, continuous compliance with the requirements of this General Order is required. If there is any doubt about the ability to continuously comply with the requirements of this General Order, the Discharger shall contact a professional engineer to assure the effluent is properly treated prior to discharge. Dischargers seeking authorization to discharge under this General Order must provide engineering blueprints of the existing or proposed treatment system to reduce any pollutants to levels that will meet the

effluent limitations prior to discharging into surface waters. Plans submitted must be signed by a Registered Engineer or Geologist.

**5. Categorical exception for priority pollutant criteria and objectives.**

As discussed in section III.K of this General Order, section 5.3 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP) allows the Regional Water Board to allow certain Dischargers short-term or seasonal exceptions from meeting priority pollutant criteria and objectives. These exceptions are for discharges that are necessary to implement control measures that fulfill statutory requirements regarding drinking water. Dischargers applying for a categorical exception to the priority pollutant criteria and objectives as authorized by section 5.3 of the SIP must submit the following information with the Notice of Intent:

- a. A detailed description of the proposed action, including the proposed method of completing the action;
- b. A time schedule;
- c. A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality assurance and quality control procedures);
- d. CEQA documentation;
- e. Contingency plans;
- f. Identification of alternate water supply (if needed); and
- g. Residual waste disposal plans.

**6. Wastewater sampling.**

Dischargers applying for coverage under this Order are required to analyze the existing or proposed discharge for constituents regulated under the California Toxics Rule (CTR) and applicable Basin Plans (listed in Attachments B and C), and submit the results with the Notice of Intent.

The screening levels for the constituents in Attachments B and C are based on the most restrictive water quality objectives/criteria. The most restrictive criteria are necessary because this Order is intended as a general order and covers dewatering and low threat discharges to all surface waters in the Central Valley Region of California. If the analytical test results of the discharge show that any constituent concentrations exceed the water quality screening levels listed in Attachment B and Attachment C (if applicable), then the discharge will not be allowed under this General Order. If the analytical test results of the discharge show that all constituent concentrations are below the screening levels in Attachments B and C (if applicable), then the Discharger will be enrolled under this General Order.

Dischargers applying for an exception to the priority pollutant criteria and objectives, as authorized by section 5.3 of the SIP, are not required to analyze the existing or proposed discharge for constituents regulated under the CTR as listed in Attachment B. However, if the Regional Water Board finds that the discharge does not meet the requirements for an exception to the priority pollutant criteria and objectives, the Discharger will be required to analyze the existing or proposed discharge for the constituents regulated under the CTR as listed in Attachment B and submit the analytical test results.

Section 1.3, Step 8 of the SIP reads, in part, *"The RWQCB shall require periodic monitoring (at least once prior to the issuance and reissuance of a permit) for pollutants for which criteria or objectives apply and for which no effluent limitations have been established; however, the RWQCB may choose to exempt low volume discharges, determined to have no significant adverse impact on water quality, from this monitoring requirement."* Certain types of low volume discharges (i.e., discharges having an average dry weather flow less than 0.25 MGD) may qualify for an exception to the sampling requirements contained in Attachment B, provided the Discharger can sufficiently justify that the discharge will have no significant adverse impact on water quality. For example, discharges of potable water from line flushing could be exempt from pesticide analysis since the presence of such pesticides would not be allowed in the potable water system. Dischargers seeking an exception to the sampling requirements contained in Attachment B must submit justification as part of the Notice of Intent. If the Regional Water Board finds that the justification is not sufficient to grant an exception to the sampling requirements, the Discharger will be required to analyze the existing or proposed discharge for all constituents regulated under the CTR, as listed in Attachment B, and submit the analytical test results.

If a Discharger discharges or proposes to discharge into a water quality limited segment (WQLS), the Discharger must sample the discharge for the constituents causing the impairment in the receiving water under the current 303(d) list and submit the result with the Notice of Intent. The list of WQLSs can be found under the Clean Water Act (CWA), Section 303(d) List at the web site: [http://www.waterboards.ca.gov/tmdl/303d\\_lists2006approved.html](http://www.waterboards.ca.gov/tmdl/303d_lists2006approved.html). If the analytical data demonstrate that constituent concentrations in the discharge will contribute to the impairment of the receiving water, the discharge will not be authorized under this General Order.

#### 7. Pollution Prevention and Monitoring and Reporting Program (PPMRP).

Special Provision VII.C.2.b requires water suppliers having more than one discharge point to prepare and implement a PPMRP rather than identify and monitor each discharge, as required in sections IV and VIII of the Monitoring and Reporting Program (Attachment E). The PPMRP must be submitted with the Notice of Intent and is subject to approval by the Executive Officer. The PPMRP must include, at a minimum, the elements identified in Attachment H.

8. Current State Water Board Adopted Permit Fees. Information concerning the applicable fees can be found at <http://www.waterboards.ca.gov/fees/>.

### III. DISCHARGE DESCRIPTION

#### A. Discharge Description

Individuals and miscellaneous public and private businesses often need to discharge clean or relatively pollutant-free wastewater that poses little or no threat to water quality. These discharges are typically low volume discharges and/or short-term in nature. This General Order covers dewatering and low threat discharges to surface waters of the United States which are either 4 months or less in duration or have an average dry weather flow less than 0.25 MGD.

#### B. Summary of Existing Requirements

Effluent limitations contained in Order No. 5-00-175 for dewatering and other low threat discharges are as follows:

**Table F-1. Historic Effluent Limitations**

Parameter	Units	Effluent Limitations		
		Monthly Average	Weekly Average	Daily Maximum
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	10	15	30
Total Suspended Solids	mg/L	10	15	30
Settleable Solids	mL/L	--	--	0.1
Chlorine, Total Residual	mg/L	--	--	0.02 <sup>1</sup>
pH	standard units	--	--	<sup>2</sup>
Average Dry Weather Flow	MGD	--	--	0.25 <sup>3</sup>

<sup>1</sup> Effluent discharged into a surface water body shall not contain chlorine in excess of 0.02 mg/L (instantaneous maximum). If the wastewater contains chlorine in excess of 0.02 mg/L, the Discharger shall certify that chlorine will be reduced to a maximum of 0.02 mg/L before wastes enter surface water.

<sup>2</sup> Effluent discharged into a surface water body shall not have a pH less than 6.5 nor greater than 8.5.

<sup>3</sup> The average dry weather (May through October) discharge flow shall not exceed 0.25 MGD unless the discharge is 4 months or less in duration in which case there is no flow limit.

### IV. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this Order are based on the applicable plans, policies, and regulations identified in the Findings in section II of this Order. This section provides supplemental information, where appropriate, for the plans, policies, and regulations relevant to the discharge.

## A. Legal Authorities

This Order is issued pursuant to section 402 of the federal CWA and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the CWC (commencing with section 13370). It shall serve as a NPDES permit for point source discharges of dewatering and other low threat wastewaters to surface waters. This Order also serves as WDRs pursuant to article 4, chapter 4, division 7 of the CWC (commencing with section 13260).

## B. California Environmental Quality Act (CEQA)

Under CWC section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100 through 21177. The Board's actions on issuing this permit for existing and new potable water discharges, and on the exceptions allowed by section 5.3 of the SIP is exempt from CEQA in accordance with California Code of Regulations, Title 14, Section 15061 (b)(3) which states that CEQA only applies to projects which have the potential for causing adverse environmental effects.

To satisfy the Categorical Exception requirements of Section 5.3 of the SIP, dischargers seeking enrollment under this General Order will be required to submit project-specific information to the Executive Officer on the discharge and its water quality effects. The information required by the SIP is presented in the application requirements contained in section V of Attachment G.

## C. State and Federal Regulations, Policies, and Plans

**1. Water Quality Control Plans.** The Regional Water Board adopted a *Water Quality Control Plan, Fourth Edition (Revised February 2007)*, for the Sacramento and San Joaquin River Basins and a *Water Quality Control Plan, Second Edition (Revised January 2004)*, for the Tulare Lake Basin (hereinafter Basin Plans) that designate beneficial uses, establish water quality objectives, and contain implementation programs and policies to achieve those objectives for all waters addressed through the plans. In addition, the Basin Plans implement State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The Basin Plans identify the typical beneficial uses as follows: municipal and domestic supply; agricultural irrigation; stock watering; process supply; service supply; hydropower supply; water contact recreation; canoeing and rafting recreation; other non-contact water recreation; warm freshwater aquatic habitat; cold freshwater habitat; warm fish migration habitat; cold fish migration habitat; warm and cold spawning habitat; wildlife habitat; navigation; rare, threatened, or endangered species habitat; groundwater recharge; and freshwater replenishment.

Requirements of this Order implement the Basin Plans.

**2. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and

9 November 1999. About 40 criteria in the NTR applied in California. On 18 May 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on 13 February 2001. These rules contain water quality criteria for priority pollutants.

3. **State Implementation Policy.** On 2 March 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on 28 April 2000 with respect to the priority pollutant criteria promulgated for California by USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plans. The SIP became effective on 18 May 2000 with respect to the priority pollutant criteria promulgated by USEPA through the CTR. The State Water Board adopted amendments to the SIP on 24 February 2005 that became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control.

Section 5.3 of the SIP authorizes the Regional Water Board, after compliance with CEQA, to allow certain Dischargers short-term or seasonal exceptions from meeting priority pollutant criteria and objectives. This General Order authorizes a categorical exception to priority pollutant criteria and objectives for Dischargers who submit the appropriate information required by the SIP as required in the Notice of Intent (see Attachment G).

Requirements of this Order implement the SIP.

4. **Alaska Rule.** On 30 March 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes (40 CFR 131.21, 65 Fed. Reg. 24641 (27 April 2000)). Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after 30 May 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by 30 May 2000, may be used for CWA purposes, whether or not approved by USEPA.
5. **Antidegradation Policy.** 40 CFR 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Basin Plans implement, and incorporate by reference, both the state and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 CFR 131.12 and Resolution No. 68-16. As discussed in detail in the section V.D.4. of this Fact Sheet, the discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution 68-16.



- 6. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. Compliance with the anti-backsliding requirements is discussed in Section V.D.3.
- 7. Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limitations, receiving water limitations, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

#### **D. Impaired Water Bodies on CWA 303(d) List**

1. Under section 303(d) of the 1972 CWA, states, territories and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On 30 November 2006 USEPA gave final approval to California's 2006 section 303(d) list of WQLSs. The Basin Plans references this list of WQLSs, which are defined as "...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 CFR Part 130, et seq.)." The Basin Plans also states, "Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]. Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment." Impaired waters do not support beneficial uses. If discharging or proposing to discharge into a WQLS, the Discharger must provide wastewater analysis of the 303(d) listed constituents of concern as part of the Notice of Intent.

#### **E. Other Plans, Policies, and Regulations**

1. The State Water Board adopted the *Water Quality Control Policy for the Enclosed Bays and Estuaries of California*. The requirements within this Order are consistent with the Policy.

### **V. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

Effluent limitations and toxic and pretreatment effluent standards established pursuant to sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 304 (Information and Guidelines), and 307 (Toxic and Pretreatment Effluent Standards) of the CWA and amendments thereto are applicable to the discharge.

The CWA mandates the implementation of effluent limitations that are as stringent as necessary to meet water quality standards established pursuant to state or federal law [33 U.S.C., §1311(b)(1)(C); 40 CFR 122.44(d)(1)]. NPDES permits must incorporate discharge limits necessary to ensure that water quality standards are met. This requirement applies to narrative criteria as well as to criteria specifying maximum amounts of particular pollutants. Pursuant to federal regulations, 40 CFR 122.44(d)(1)(i), NPDES permits must contain limits that control all pollutants that “*are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state water quality standard, including state narrative criteria for water quality.*” Federal regulations, 40 CFR 122.44(d)(1)(vi), further provide that “[w]here a state has not established a water quality criterion for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion within an applicable State water quality standard, the permitting authority must establish effluent limits.”

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the *Code of Federal Regulations*: 40 CFR 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR 122.44(d) requires that permits include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water where numeric water quality objectives have not been established. The Basin Plans at page IV-17.00 for the Sacramento and San Joaquin River Basins and at page IV-21 for the Tulare Lake Basin, contain an implementation policy, “*Policy for Application of Water Quality Objectives*” for the Sacramento and San Joaquin River Basins and “*Application of Water Quality Objectives*” for the Tulare Lake Basin, that specify that the Regional Water Board “*will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives.*” This Policy complies with 40 CFR 122.44(d)(1). With respect to narrative objectives, the Regional Water Board must establish effluent limitations using one or more of three specified sources, including (1) USEPA’s published water quality criteria, (2) a proposed state criterion (i.e., water quality objective) or an explicit state policy interpreting its narrative water quality criteria (i.e., the Regional Water Board’s “*Policy for Application of Water Quality Objectives*”)(40 CFR 122.44(d)(1)(vi)(A), (B) or (C)), or (3) an indicator parameter. The Basin Plans contain a narrative objective requiring that: “*All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life*” (narrative toxicity objective). The Basin Plans require the application of the most stringent objective necessary to ensure that surface water and groundwater do not contain chemical constituents, discoloration, toxic substances, radionuclides, or taste and odor producing substances that adversely affect beneficial uses. The Basin Plans state that material and relevant information, including numeric criteria, and recommendations from other agencies and scientific literature will be utilized in evaluating compliance with the narrative toxicity objective. The Basin Plans also limit chemical constituents in concentrations that adversely affect surface water beneficial uses. The

Basin Plans further state that, to protect all beneficial uses, the Regional Water Board may apply limits more stringent than maximum contaminant levels (MCLs).

#### **A. Discharge Prohibitions**

1. As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal regulations, 40 CFR 122.41(m), define "bypass" as the intentional diversion of waste streams from any portion of a treatment facility. This section of the federal regulations, 40 CFR 122.41(m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board's prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the federal regulations, 40 CFR 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.
2. The discharges authorized by this General Order are low-volume discharges and/or short-term in nature, and therefore have a low threat to water quality. For the purposes of this Order, discharges having an average dry weather discharge flow less than 0.25 MGD will be considered low volume discharges. Discharges less than 4 months in duration will be considered short-term discharges. Consistent with Order No. 5-00-175, this Order prohibits discharges that have an average dry weather discharge flow greater than 0.25 MGD unless the discharge is less than 4 months in duration. The Regional Water Board will regulate discharges that do not meet these criteria by individual orders.

#### **B. Technology-Based Effluent Limitations**

##### **1. Scope and Authority**

Section 301(b) of the CWA and implementing USEPA permit regulations at 40 CFR 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with 40 CFR 125.3.

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

- a. Best practicable treatment control technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.
- b. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable

within an industrial point source category. BAT standards apply to toxic and non-conventional pollutants.

- c. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including 5-day biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS), fecal coliform, pH, and oil and grease. The BCT standard is established after considering the “cost reasonableness” of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.
- d. New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires USEPA to develop effluent limitations, guidelines, and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. CWA section 402(a)(1) and 40 CFR 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the permit writer must consider specific factors outlined in 40 CFR 125.3.

## 2. Applicable Technology-Based Effluent Limitations

- a. The dewatering and other low threat discharges authorized by this General Order are considered high-quality wastewaters that are relatively pollutant-free and pose a low threat to water quality. Based on the expectation that the water quality of these discharges would be characteristic of wastewater that receives tertiary treatment, effluent limitations were established in Order No. 5-00-175 that reflect similar requirements established in permits for tertiary treatment plants by the Regional Water Board. These effluent limitations are retained in this General Order.

### Summary of Technology-based Effluent Limitations Discharge Point No. 001

**Table F-2. Summary of Technology-based Effluent Limitations**

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	10	15	30
Total Suspended Solids	mg/L	10	15	30

## C. Water Quality-Based Effluent Limitations (WQBELs)

### 1. Scope and Authority

Section 301(b) of the CWA and 40 CFR 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

40 CFR 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 CFR 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plans, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

### 2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

- a. **Receiving Water.** Dewatering and other low threat discharges may potentially discharge to all surface waters in the Central Valley. Beneficial uses for the Sacramento and San Joaquin River Basins are as follows: municipal and domestic supply, agricultural irrigation, stock watering, process supply, service supply, and hydropower supply, water contact recreation, canoeing and rafting recreation, other non-contact water recreation, warm freshwater aquatic habitat, cold freshwater aquatic habitat, warm fish migration habitat, cold fish migration habitat, warm and cold spawning habitat, wildlife habitat, and navigation. Beneficial uses for the Tulare Lake Basin are: municipal and domestic supply; agricultural irrigation; agricultural stock watering; industrial process water supply; process water supply; hydropower supply; water contact recreation; other non-contact water recreation; warm freshwater aquatic habitat; cold freshwater aquatic habitat; wildlife habitat; rare, threatened, or endangered species habitat; cold spawning habitat; groundwater recharge; and freshwater replenishment.
- b. **Hardness.** While no effluent limitation for hardness is necessary in this Order, hardness is critical to the assessment of reasonable potential for certain metals. The California Toxics Rule, at (c)(4), states the following:

*“Application of metals criteria. (i) For purposes of calculating freshwater aquatic life criteria for metals from the equations in paragraph (b)(2) of this section, for waters with a hardness of 400 mg/L or less as calcium carbonate, the actual ambient hardness of the surface water shall be used in those equations.”*  
[emphasis added]

The State Water Board, in footnote 19 to Water Quality Order No. 2004-0013, stated: *“We note that...the Regional Water Board...applied a variable hardness value whereby effluent limitations will vary depending on the actual, current hardness values in the receiving water. We recommend that the Regional Water Board establish either fixed or seasonal effluent limitations for metals, as provided in the SIP, rather than ‘floating’ effluent limitations.”*

This General Order does not authorize discharges that have the reasonable potential to exceed water quality objectives. Therefore, screening levels must be set to protect the beneficial uses of the receiving water for all discharge conditions. In the absence of the option of including condition-dependent, “floating” screening levels that are reflective of actual conditions at the time of discharge, effluent limitations must be set using a reasonable worst-case condition in order to protect beneficial uses for all discharge conditions. Dependent on receiving water conditions, use of either the lowest observed effluent hardness or the lowest observed receiving water hardness may be more protective of aquatic life beneficial uses. For example, under effluent dominated discharge conditions, use of the lowest observed effluent hardness is the most protective.

This permit includes screening levels for cadmium, chromium (III), copper, lead, nickel, silver, and zinc which are dependent on water hardness. The CTR expresses the objectives for these metals through equations where the hardness of the receiving water is a variable. To simplify the permitting process, it was necessary that fixed hardness values be used in these equations. To calculate screening levels for waters with hardness concentrations less than 50 mg/L, a hardness value of 25 mg/L was used. To calculate screening levels for waters with hardness concentrations greater than or equal to 50 mg/L but less than 100 mg/L, a hardness value of 75 mg/L was used. To calculate screening levels for waters with hardness concentrations greater than or equal to 100 mg/L but less than 200 mg/L, a hardness value of 150 mg/L was used, and to calculate screening levels for waters with hardness concentrations greater than or equal to 200 mg/L, a hardness value of 200 mg/L was used.

The Order requires the Discharger to analyze the proposed effluent and the upstream receiving water for hardness and submit the analytical results with the Notice of Intent. Due to the uncertainty of the various types of discharge conditions that could be covered under this General Order, and in order to ensure the protection of water quality for all discharge conditions, the lowest hardness value of the proposed effluent and upstream receiving water will be used to determine the appropriate screening level (see Table B-2 of Attachment B and Table C-2 of Attachment C).

- c. Assimilative Capacity/Mixing Zone.** The effluent limitations for dewatering and other low threat discharges are calculated assuming no dilution. For most practical purposes, discharges from these operations do not flow directly into a receiving water with significant volume to consider dilution credit or to allocate a mixing zone. Many creeks and streams in the Central Valley are dry during the summer months. Therefore, for many months of the year, these discharges may represent all or nearly all of the flow in some portions of the receiving creeks or streams. Because this Order is intended to serve as a general order and covers discharges to all surface waters in the Central Valley, the effluent limitations established pursuant to this General Order are established to achieve the most protective water quality objective for the surface water beneficial uses in the Central Valley. Therefore, it is assumed there is no assimilative capacity and no dilution credits have been granted.

An exception to this assumption may be applied based on the demonstration of a mixing zone in accordance with section 1.4.2 of the SIP and an approved mixing zone study demonstrating compliance with water quality objectives in the receiving water as prescribed in the Basin Plans. This exception process is more appropriate for an individual order, and would not be appropriate for a general order, that should be protective of most stringent water quality objectives and beneficial uses. If a Discharger requests that a dilution credit be included in the computation of an effluent limitation or that a mixing zone be allowed, an individual order will be required. However, if no mixing zone is proposed, this General Order provides coverage for all discharges to receiving waters in the Central Valley Region.

### 3. Determining the Need for WQBELs

- a.** CWA section 301 (b)(1) requires NPDES permits to include effluent limitations that achieve technology-based standards and any more stringent limitations necessary to meet water quality standards. Water quality standards include Regional Water Board Basin Plan beneficial uses and narrative and numeric water quality objectives, State Water Board-adopted standards, and federal standards, including the CTR and NTR. The Basin Plans include numeric site-specific water quality objectives and narrative objectives for toxicity, chemical constituents, and tastes and odors. The narrative toxicity objective states: *“All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.”* With regards to the narrative chemical constituents objective, the Basin Plans state that waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. At minimum, *“...water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs)” in Title 22 of CCR.* The narrative tastes and odors objective states: *“Water shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal water supplies or to fish*

*flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.”*

- b. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause, or contribute to an in-stream excursion above a narrative or numerical water quality standard.
- c. This Order requires Dischargers seeking authorization to discharge under this General Order to provide analysis of the proposed effluent. As described below, based on these analyses, the Regional Water Board shall conduct an RPA in accordance with section 1.3, Step 7 of the SIP by comparing the results to the screening criteria contained in Attachment B and Attachment C (if applicable) to determine reasonable potential. Although the SIP applies directly to the control of CTR priority pollutants, the State Water Board has held that the Regional Water Board may use the SIP as guidance for water quality-based toxics control.<sup>1</sup> The SIP states in the introduction “*The goal of this Policy is to establish a standardized approach for permitting discharges of toxic pollutants to non-ocean surface waters in a manner that promotes statewide consistency.*” Therefore, in this Order the RPA procedures from the SIP were used to evaluate reasonable potential for both CTR and non-CTR constituents.

**d. All Dewatering and Other Low Threat Discharges**

**Chlorine Residual.** Dewatering and other low threat discharges may contain chlorine, which is extremely toxic to aquatic organisms. Due to the potential for chlorine to be discharged, these discharges have a reasonable potential to cause or contribute to an in-stream excursion above the Basin Plans’ narrative toxicity objective. In order to protect the beneficial uses of the receiving water, this Order includes effluent limitations for total residual chlorine.

The USEPA *Technical Support Document for Water Quality-based Toxics Control* (EPA/505/2-90-001) contains statistical methods for converting chronic (4-day) and acute (1-hour) aquatic life criteria to average monthly and maximum daily effluent limitations based on the variability of the existing data and the expected frequency of monitoring. Because projects that would be granted coverage under this General Order are typically short in duration, reasonable potential exists for acute toxicity over short periods of time and an average 1-hour limitation is considered more appropriate than an average daily limitation. Average 1-hour and 4-day effluent limitations for chlorine, based on [USEPA Quality Criteria for Water, May 1986 \[The Gold Book\]](#), are included in this Order.

The San Francisco Regional Water Board included a reporting level of 0.08 mg/L to determine compliance with the effluent limitations contained in the General Order for Discharges from Surface Water Treatment Facilities for Potable Supply (Order No. R2-2003-0062, NPDES No. CAG382001). The reporting level of 0.08

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<sup>1</sup> See Order WQO 2001-16 (Napa) and Order WQO 2004-0013 (Yuba City).



mg/L represents a level that handheld field meters are capable of achieving. The Regional Water Board concurs with the approach used by the San Francisco Regional Water Board. Therefore, this Order requires dischargers to utilize a method capable of achieving a reporting level of 0.08 mg/L, consistent with the reporting level required by the San Francisco Regional Water Board, until the State Water Board adopts a statewide policy with a specified reporting level achievable in the field and laboratory. A reopener has been included that will allow the Regional Water Board to reopen the Order if a statewide policy for total residual chlorine takes effect during the term of the permit, to allow the Regional Water Board to make modifications consistent with the statewide policy. If the statewide policy includes a reporting level more stringent than 0.08 mg/L, the General Order will automatically incorporate the statewide reporting level.

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**Settleable Solids.** For inland surface waters, the Basin Plans state that “[w]ater shall not contain substances in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.” Settleable solids are a constituent of concern in dewatering and other low threat discharges. Order No. 5-00-175 established a maximum daily effluent limitation for settleable solids of 0.1 mL/L based on protection of the narrative settleable solids objective. This General Order retains the effluent limitation for settleable solids.

**Priority Pollutants.** This General Order is not intended to regulate discharges that have the reasonable potential to exceed water quality standards, which would be more appropriately regulated by an individual order. Since this is a general order for all dewatering and other low threat discharges to surface waters in the Central Valley of California, this General Order establishes screening levels in Attachment B that are protective of beneficial uses under all discharge conditions and are based on the most protective water quality criteria for priority pollutants. Dischargers enrolling under this Order are required to analyze the proposed discharge for constituents regulated under the CTR and submit the results as part of the Notice of Intent. If the analytical data demonstrate that any constituent concentrations in the discharge exceed the water quality screening levels listed in Attachment B, the discharge will not be allowed under this General Order. If all constituent concentrations are below the screening levels listed in Attachment B, the discharge will be authorized for coverage under this General Order.

Several priority pollutants do not have applicable CTR criteria or MCLs. However, water quality limits have been developed to interpret narrative Basin Plan objectives for several of these pollutants which include chloroethane, methyl chloride, 2-nitrophenol, 4-nitrophenol, 3-methyl-4-chlorophenol, 4-bromophenyl phenyl ether, 2,6-dinitrotoluene, naphthalene, and delta-BHC. Analysis of dilution, proximity of downstream diversions, and other factors is required in order to determine the applicability of interpreting the narrative objective for these pollutants based on water quality limits. This type of analysis is beyond the scope of this General Order. In addition to these pollutants, several priority

pollutants have no CTR criteria, MCLs, or alternative water quality limits to interpret narrative Basin Plan objectives. These pollutants include 2-chloroethylvinyl ether, acenaphthylene, benzo(ghi)perylene, bis(2-chloroethoxy)methane, 4-chlorophenyl phenyl ether, di-n-octyl phthalate, and phenanthrene. A screening requirement for pollutants that do not have applicable criteria is included in Attachment B. Due to the short-term and low volume nature of the discharges covered by this General Order and the lack of applicable criteria, effluent limitations for these pollutants are not established in this General Order. However, if the analytical data demonstrate that constituent concentrations are present in the effluent at levels that affect the beneficial uses of the receiving water, then authorization for coverage under this Order will be denied and coverage under an individual permit will be required (including analysis of appropriate water quality criteria necessary to protect the beneficial uses of the receiving water).

Table F-3 summarizes the bases of screening levels contained in Attachment B.

**Table F-3. Summary of Screening Level Bases for Priority Pollutants**

Parameter	Basis <sup>1</sup>
Antimony, Total Recoverable	HH, MCL
Arsenic, Total Recoverable	HH, MCL
Beryllium, Total Recoverable	HH, MCL
Cadmium, Total Recoverable	AL, CTR
Chromium (III)	AL, CTR
Chromium (VI)	AL, CTR
Copper, Total Recoverable	AL, CTR
Lead, Total Recoverable	AL, CTR
Mercury, Total Recoverable	HH, CTR
Nickel, Total Recoverable	AL, CTR
Selenium, Total Recoverable	AL, CTR
Silver, Total Recoverable	AL, CTR
Thallium, Total Recoverable	HH, CTR
Zinc, Total Recoverable	AL, CTR
Cyanide, Total (as CN)	AL, CTR
Asbestos	HH, CTR
2,3,7,8-TCDD	HH, CTR
Acrolein	HH, CTR
Acrylonitrile	HH, CTR
Benzene	HH, MCL
Bromoform	HH, CTR
Carbon Tetrachloride	HH, CTR
Chlorobenzene	HH, MCL
Chlorodibromomethane	HH, CTR
Chloroform	HH, MCL
Dichlorobromomethane	HH, CTR
1,1-Dichloroethane	HH, MCL
1,2-Dichloroethane	HH, CTR
1,1-Dichloroethylene	HH, CTR
1,2-Dichloropropane	HH, CTR
1,3-Dichloropropylene	HH, MCL

Parameter	Basis <sup>1</sup>
Ethylbenzene	HH, MCL
Methyl Bromide	HH, CTR
Methylene Chloride	HH, CTR
1,1,2,2-Tetrachloroethane	HH, CTR
Tetrachloroethylene	HH, CTR
Toluene	HH, MCL
1,2-Trans-Dichloroethylene	HH, MCL
1,1,1-Trichloroethane	HH, MCL
1,1,2-Trichloroethane	HH, CTR
Trichloroethylene	HH, CTR
Vinyl Chloride	HH, MCL
2-Chlorophenol	HH, CTR
2,4-Dichlorophenol	HH, CTR
2,4-Dimethylphenol	HH, CTR
2-Methyl-4,6-Dinitrophenol	HH, CTR
2,4-Dinitrophenol	HH, CTR
Pentachlorophenol	HH, CTR
Phenol	HH, CTR
2,4,6-Trichlorophenol	HH, CTR
Acenaphthene	HH, CTR
Anthracene	HH, CTR
Benzidine	HH, CTR
Benzo(a)Anthracene	HH, CTR
Benzo(a)Pyrene	HH, CTR
Benzo(b)Fluoranthene	HH, CTR
Benzo(k)Fluoranthene	HH, CTR
Bis(2-Chloroethyl)Ether	HH, CTR
Bis(2-Chloroisopropyl)Ether	HH, CTR
Bis(2-Ethylhexyl)Phthalate	HH, CTR
Butylbenzyl Phthalate	HH, CTR
2-Chloronaphthalene	HH, CTR
Chrysene	HH, CTR
Dibenzo(a,h)Anthracene	HH, CTR
1,2-Dichlorobenzene	HH, MCL
1,3-Dichlorobenzene	HH, CTR
1,4-Dichlorobenzene	HH, MCL
3,3 Dichlorobenzidine	HH, CTR
Diethyl Phthalate	HH, CTR
Dimethyl Phthalate	HH, CTR
Di-n-Butyl Phthalate	HH, CTR
2,4-Dinitrotoluene	HH, CTR
1,2-Diphenylhydrazine	HH, CTR
Fluoranthene	HH, CTR
Fluorene	HH, CTR
Hexachlorobenzene	HH, CTR
Hexachlorobutadiene	HH, CTR
Hexachlorocyclopentadiene	HH, MCL
Hexachloroethane	HH, CTR
Indeno(1,2,3-cd)Pyrene	HH, CTR
Isophorone	HH, CTR
Nitrobenzene	HH, CTR

Parameter	Basis <sup>1</sup>
N-Nitrosodimethylamine	HH, CTR
N-Nitrosodi-n-Propylamine	HH, CTR
N-Nitrosodiphenylamine	HH, CTR
Pyrene	HH, CTR
1,2,4-Trichlorobenzene	HH, MCL
Aldrin	HH, CTR
alpha-BHC	HH, CTR
beta-BHC	HH, CTR
gamma-BHC	HH, CTR
Chlordane	HH, CTR
4,4'-DDT	HH, CTR
4,4'-DDE (linked to DDT)	HH, CTR
4,4'-DDD	HH, CTR
Dieldrin	HH, CTR
alpha-Endosulfan	AL, CTR
beta-Endosulfan	AL, CTR
Endosulfan Sulfate	HH, CTR
Endrin	AL, CTR
Endrin Aldehyde	AL, CTR
Heptachlor	HH, CTR
Heptachlor Epoxide	HH, CTR
PCBs sum <sup>3</sup>	HH, CTR
Toxaphene	AL, CTR

<sup>1</sup> HH-Human health criteria.

MCL - Based on Primary Maximum Contaminant Level.

AL-Aquatic life criteria.

CTR - Based on water quality criteria contained in the California Toxics Rule, and applied as specified in the SIP.

#### e. Discharges to Specific Waterbodies

- i. The Basin Plans establish specific water quality criteria for discharges to specific watersheds/reaches and are included as screening levels in Attachment C. If the discharge is within an applicable watershed/reach included in Attachment C, the Discharger is required to analyze a representative sample of the discharge for the applicable pollutants and submit the results as part of the Notice of Intent. The screening levels contained in Attachment C supercede those contained in Attachment B for respective parameters applicable to the discharge. If the analytical data demonstrate that constituent concentrations in the discharge exceed the water quality screening levels listed in Attachment C, the discharge will not be allowed under this General Order. If all constituent concentrations are below the screening levels listed in Attachment C, the discharge will be authorized for coverage under this General Order.
- ii. The Basin Plan for the Sacramento and San Joaquin River Basins includes a water quality objective for surface waters (except for Goose Lake) that the "...pH shall not be depressed below 6.5 nor raised above 8.5. Changes in normal ambient pH levels shall not exceed 0.5 in fresh waters with designated

COLD or WARM beneficial uses.” The Basin Plan for the Tulare Lake Basin includes a water quality objective for surface waters that the “...pH shall not be depressed below 6.5, raised above 8.3, or changed at any time more than 0.3 units from normal ambient pH.” Effluent limitations for pH are included in this Order based on the Basin Plan objectives for pH.

#### 4. WQBEL Calculations

The effluent limitations for chlorine residual were based on the Basin Plans' narrative toxicity objective and are applied directly as 4-day and 1-hour average effluent limitations. The effluent limitation for settleable solids was retained from Order No. 5-00-175 and was applied as a maximum daily effluent limitation. Basin Plan-specific objectives for pH were applied as instantaneous effluent limitations.

#### Summary of WQBELs Discharge Point No. 001

Table F-4. Summary of WQBELs

Parameter	Units	Maximum Daily Effluent Limitation	4-Day Average	1-Hour Average
Chlorine, Total Residual	mg/L	--	0.011	0.019
pH	Standard units	--	--	--
Settleable Solids	mL/L	0.1		

The pH of all dewatering and other low threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5. The pH of all dewatering and other low threat discharges to Goose Creek shall at all times be within the range of 7.5 and 9.5. The pH of all dewatering and other low threat discharges within the Tulare Lake Basin shall at all times be within the range of 6.5 and 8.3.

#### 5. Whole Effluent Toxicity (WET)

The Basin Plans contain a narrative toxicity objective that states, “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at page III-8.00 for the Sacramento and San Joaquin River Basins and III-6 for the Tulare Lake Basin.) The dewatering and other low threat discharges authorized by this General Order have a low threat to water quality. Because the discharges authorized by this General Order are low volume and/or short-term in nature and are not expected to contribute to acute or chronic toxicity, effluent limitations for acute toxicity and acute and chronic WET testing is not required by this General Order.

#### D. Final Effluent Limitations

##### 1. Mass-based Effluent Limitations

[Not Applicable]

## 2. Averaging Periods for Effluent Limitations

40 CFR 122.45 (d) requires maximum daily and average monthly discharge limitations for all dischargers other than publicly owned treatment works unless impracticable. Effluent limitations for pH are based on numeric objectives contained in the Basin Plans and are established as instantaneous effluent limitations. The effluent limitations for BOD<sub>5</sub> and TSS are based on the expectation that the water quality of low threat discharges authorized by this General Order will be similar in characteristics of wastewater that receives tertiary treatment and reflects the effluent limitations required of a treatment plant that uses tertiary treatment (as reflected in maximum daily, average weekly, and average monthly effluent limitations). The effluent limitations for chlorine residual were based on the Basin Plans' narrative toxicity objectives and are applied directly as 4-day and 1-hour average effluent limitations.

## 3. Satisfaction of Anti-Backsliding Requirements

All effluent limitations in this Order are at least as stringent as the effluent limitations in the existing Order.

## 4. Satisfaction of Antidegradation Policy

The permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 68-16. Compliance with these requirements will result in the use of best practicable treatment or control of the discharge. Due to the expected short-term duration and the low volume of discharge expected from Dischargers regulated under this Order, the impact on existing water quality will be insignificant. This Order also requires all dischargers to implement practices to minimize the discharge of salinity to receiving waters. If, however, the Regional Water Board, subsequent to review of any Notice of Intent, finds that the impact of a discharge will not be insignificant, then authorization for coverage under this Order will be denied and coverage under an individual permit will be required (including preparation of an antidegradation analysis).

## 5. Summary of Final Effluent Limitations

### a. All Dewatering and Other Low Threat Discharges

**Table F-5. Summary of Final Effluent Limitations**

Parameter	Units	Effluent Limitations			Basis <sup>1</sup>
		Average Monthly	Average Weekly	Maximum Daily	
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	10	15	30	TB, PO
Chlorine, Total Residual	mg/L	--	--	<sup>2</sup>	NAWQC
Settleable Solids	mL/L	--	--	0.1	BP, PO
Total Suspended Solids	mg/L	10	15	30	TB, PO

Parameter	Units	Effluent Limitations			Basis <sup>1</sup>
		Average Monthly	Average Weekly	Maximum Daily	

<sup>1</sup> TB – Technology-based effluent limitation based on the expectation that the water quality of low threat discharges authorized by this General Order will be characteristic of wastewater that receives tertiary treatment and reflects similar requirements established in permits for tertiary treatment plants by the Regional Water Board.

PO – Based on effluent limitations established in Order No. 5-00-175.

NAWQC – Based on USEPA's National Ambient Water Quality Criteria for the protection of freshwater aquatic life.

BP – Based on water quality objectives contained in the Basin Plans.

<sup>2</sup> The discharge shall not exceed the following effluent limitations for total residual chlorine:

- a. 0.011 mg/L, as a 4-day average; and
- b. 0.019 mg/L, as a 1-hour average.

#### **b. Discharges to Specific Waterbodies**

- i. The pH of all dewatering and other low threat within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.
- ii. The pH of all dewatering and other low threat discharges to Goose Creek shall at all times be within the range of 7.5 and 9.5.
- iii. The pH of all dewatering and other low threat discharges within the Tulare Lake Basin shall at all times be within the range of 6.5 and 8.3.

#### **E. Interim Effluent Limitations**

**[Not Applicable]**

#### **F. Land Discharge Specifications**

**[Not Applicable]**

#### **G. Reclamation Specifications**

**[Not Applicable]**

### **VI. RATIONALE FOR RECEIVING WATER LIMITATIONS**

Basin Plan water quality objectives to protect the beneficial uses of surface water and groundwater include numeric objectives and narrative objectives, including objectives for chemical constituents, toxicity, and tastes and odors. The toxicity objective requires that surface water and groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituent objective requires that surface water and groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use or that exceed the MCLs in Title 22, CCR. The tastes and odors objective states that surface water and groundwater shall not contain taste- or odor-producing substances in

concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plans require the application of the most stringent objective necessary to ensure that surface water and groundwater do not contain chemical constituents, toxic substances, radionuclides, or taste and odor producing substances in concentrations that adversely affect domestic drinking water supply, agricultural supply, or any other beneficial use.

#### **A. Surface Water**

1. CWA section 303(a-c) requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Regional Water Board adopted water quality criteria as water quality objectives in the Basin Plans. The Basin Plans state that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plans include numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plans’ numerical and narrative water quality objectives for ammonia, bacteria, biostimulatory substances, chemical constituents, color, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, and turbidity. This Order also requires compliance with any amendment or revision to the water quality objectives contained in the Basin Plans adopted by the Regional Water Board subsequent to adoption of this Order.

#### **B. Groundwater**

**[Not Applicable]**

### **VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. CWC sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (Attachment E) of this Order, establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program for dewatering and other low threat discharges.

#### **A. Influent Monitoring**

**[Not Applicable]**

#### **B. Effluent Monitoring**

1. Pursuant to the requirements of 40 CFR 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the



treatment process (where applicable), and to assess the impacts of the discharge on the receiving stream.

2. For discharges with a duration greater than 4 months, the effluent monitoring frequencies and sample types for BOD<sub>5</sub> (quarterly), TSS (quarterly), settleable solids (quarterly), flow (continuous), temperature (monthly), and pH (monthly) have been retained from Order No. 5-00-175.
3. For discharges with a duration less than 4 months, the effluent monitoring frequencies (twice monthly) and sample types for BOD<sub>5</sub>, TSS, settleable solids, and pH have been retained from Order No. 5-00-175.
4. Effluent limitations have been established in this Order for chlorine residual. Therefore, monitoring has been established in this Order to determine compliance with the effluent limitations for chlorine residual (quarterly for discharges with a duration greater than 4 months and once per discharge event for discharges with a duration less than 4 months).
5. To address increasing salinity levels in receiving waters in the Central Valley Region of California, this General Order requires Dischargers to implement practices to minimize the discharge of salinity. Monitoring for electrical conductivity is established in this General Order to characterize salinity in dewatering and other low threat discharges and to ensure that the discharge of salinity to the receiving water is minimized (quarterly for discharges with a duration greater than 4 months and twice monthly for discharges with a duration less than 4 months).

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### C. Whole Effluent Toxicity Testing Requirements

The dewatering and other low threat discharges authorized by this General Order have a low threat to water quality. Because the discharges authorized by this General Order are low volume and/or short-term in nature and are not expected to contribute to acute or chronic toxicity, effluent limitations for acute toxicity and acute and chronic WET testing is not required by this General Order.

### D. Receiving Water Monitoring

#### 1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Receiving water monitoring frequencies (monthly) and sample types (grab) for temperature, pH, electrical conductivity, and dissolved oxygen have been retained from Order No. 5-00-175 for discharges greater than 4 months in duration.

- c. Receiving water monitoring frequencies (twice weekly) and sample types (grab) for temperature, pH, electrical conductivity, and dissolved oxygen have been retained from Order No. 5-00-175 for discharges less than 4 months in duration.
- d. Consistent with Order No. 5-00-175, this General Order requires Dischargers to maintain a log of the receiving water conditions, giving attention to floating or suspended matter; discoloration; bottom deposits; aquatic life; visible films, sheens, or coatings; fungi, slimes, or objectionable growths; and potential nuisance conditions.

## **2. Groundwater**

**[Not Applicable]**

## **E. Other Monitoring Requirements**

- 1. **Post-Discharge Report.** Consistent with Order No. 5-00-175, this General Order requires Dischargers to submit a post-discharge report after each discharge.

## **VIII. RATIONALE FOR PROVISIONS**

### **A. Standard Provisions**

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under 40 CFR 122.42.

40 CFR 122.41(a)(1) and (b) through (n) establish conditions that apply to all State-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25(a)(12) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41(j)(5) and (k)(2) because the enforcement authority under the CWC is more stringent. In lieu of these conditions, this Order incorporates by reference CWC section 13387(e).

### **B. Special Provisions**

#### **1. Reopener Provisions**

- a. The reopener provisions allow the Regional Water Board to reopen the permit in accordance with 40 CFR 122.62.

**b. Total Residual Chlorine.** The State Water Board has developed the TRC/CPO draft policy, which, when adopted, is intended to establish consistent standards and implementation procedures for regulating chlorine statewide. This reopener allows the Regional Water Board to reopen the Order to include a revised reporting level to determine compliance with effluent limitations for total residual chlorine if a statewide policy for total residual chlorine is adopted during the term of this Order.

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## 2. Special Studies and Additional Monitoring Requirements

**a. Pollution Prevention and Monitoring and Reporting Plan (PPMRP).** Water suppliers may have numerous intentional and unintentional releases of fresh water to surface waters and surface water drainage courses due to many factors, including system failures, pressure releases, and pipeline/tank flushing and dewatering. For the purposes of this General Order, these multiple discharges shall be considered a project. Water suppliers covered by this General Order may include irrigation districts, water districts, and water agencies. In lieu of the specific effluent and receiving water monitoring requirements included in the Monitoring and Reporting Program (Attachment E), water suppliers with more than one discharge point must develop and implement a PPMRP in accordance with the requirements of Attachment H.

## 3. Best Management Practices and Pollution Prevention

**a. Salinity.** The Regional Water Board, with cooperation of the State Water Board, has begun the process to develop a new policy for the regulation of salinity in the Central Valley. In a statement issued at the 16 March 2006, Regional Water Board meeting, Board Member Dr. Karl Longley recommended that the Regional Water Board continue to exercise its authority to regulate discharges of salt to minimize salinity increases within the Central Valley. Dr. Longley stated, “The process of developing new salinity control policies does not, therefore, mean that we should stop regulating salt discharges until a salinity Policy is developed. In the meantime, the Board should consider all possible interim approaches to continue controlling and regulating salts in a reasonable manner, and encourage all stakeholder groups that may be affected by the Regional Board’s policy to actively participate in policy development.”

**4. In order to address increasing salinity levels in receiving waters throughout the Central Valley Region of California, Dischargers enrolled under this General Order shall implement practices to minimize the discharge of salinity to the receiving water.** Construction, Operation, and Maintenance Specifications

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[Not Applicable]

## 5. Special Provisions for Municipal Facilities (POTWs Only)

[Not Applicable]

## **6. Other Special Provisions**

**[Not Applicable]**

## **7. Compliance Schedules**

**[Not Applicable]**

## **IX. PUBLIC PARTICIPATION**

The Regional Water Board is considering the issuance of WDRs that will serve as a general NPDES permit for dewatering and other low threat discharges. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

### **A. Notification of Interested Parties**

The Regional Water Board has notified interested agencies, parties, and persons of its intent to prescribe general WDRs for dewatering and other low threat discharges and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided to interested parties through specific mailings, distribution through the Regional Water Board Lyris Email System and through publication in major newspapers for the following communities: Bakersfield, Contra Costa County, Fresno, Redding and Sacramento.

### **B. Written Comments**

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments must be received at the Regional Water Board offices by 5:00 p.m. on 1 May 2008.

### **C. Public Hearing**

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: 12/13 June 2008  
Time: 8:30 a.m.  
Location: Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Dr., Suite #200  
Rancho Cordova, CA 95670

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral

testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address is [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley) where you can access the current agenda for changes in dates and locations.

#### **D. Waste Discharge Requirements Petitions**

Any aggrieved person may petition the State Water Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

State Water Resources Control Board  
Office of Chief Counsel  
P.O. Box 100, 1001 I Street  
Sacramento, CA 95812-0100

#### **E. Information and Copying**

The tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (916) 464-3291.

#### **F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding this general WDRs and NPDES permit should contact the Regional Water Board, reference the general WDRs and NPDES permit, and provide a name, address, and phone number.

#### **G. Additional Information**

Requests for additional information or questions regarding this Order should be directed to Mike Negrete at (916) 464-4662.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**CENTRAL VALLEY REGION**

**NOTICE OF INTENT**

**TO COMPLY WITH THE TERMS OF  
GENERAL ORDER NO. R5-2008-XXXX  
FOR  
DEWATERING AND OTHER LOW  
THREAT DISCHARGES TO SURFACE WATERS**

**A. CONTRACTOR/OPERATOR<sup>1</sup>**

Name			
Mailing Address			
City	State	ZIP	Phone
Contact Person			
<input type="checkbox"/> Contractor	<input type="checkbox"/> Operator	<input type="checkbox"/> Contractor/Operator	

**B. PROPERTY OWNER<sup>2</sup>**

Name			
Mailing Address			
City	State	ZIP	Phone
Contact Person			

**C. WATER SUPPLIERS (IF APPLICABLE)**

Name			
Mailing Address			
City	State	ZIP	Phone
Contact Person			

**D. BILLING ADDRESS**

Name			
Mailing Address			
City	State	ZIP	Phone
Contact Person			

<sup>1</sup> If additional owners/operators are involved, provide the information in a supplementary letter.

<sup>2</sup> If additional property owners are involved, provide the information in a supplementary letter.

### E. PROFESSIONAL ENGINEER

If a professional engineer has evaluated the existing or proposed discharge for compliance with this General Order, identify.			
Name			
Mailing Address			
City	State	ZIP	Phone
Signature	Certificate No.	Date	

### F. DISCHARGE LOCATION<sup>3</sup>

Street (including address, if any)
City/County
Nearest Cross Street(s)
Township/Range/Section T____, R____, Section____, MDB&M
Attach a map of at least 1:24000 (1" = 2000') showing the discharge site (e.g., USGS 7.5' topographic map). The map should also show the treatment system, discharge point and surface waters. Wells and residences within 1,500 feet shall be identified.

### G. DISCHARGE INFORMATION<sup>3</sup>

Identify type of discharge	
<input type="checkbox"/> Well Development Water	<input type="checkbox"/> Pipeline/Tank Pressure Testing
<input type="checkbox"/> Construction Dewatering	<input type="checkbox"/> Pipeline/Tank Flushing or Dewatering
<input type="checkbox"/> Pump/Well Testing	<input type="checkbox"/> Condensate
<input type="checkbox"/> Water Supply System	<input type="checkbox"/> Other
If other, please describe	
If additives are in the discharge, describe and quantify	
Start Date	Stop Date (estimate)
Discharge Rate (MGD)	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent

### H. EVALUATION OF RECLAMATION OPTIONS

Provide an evaluation of reclamation options and justification for selecting a surface water disposal alternative. If no alternative disposal options are viable, explain why (attach additional sheet as necessary). If alternative disposal options are feasible, contact the Regional Water Board. This Order does not apply if there is no discharge to surface waters.		
Is discharge to the local municipal wastewater treatment plant a viable option?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is land disposal a viable option?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is underground injection a viable option?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<sup>3</sup> Water suppliers that have more than one existing or proposed discharge point are not required to complete this section. Dischargers other than water suppliers with more than one existing or proposed discharge point should provide the information in a supplementary letter.

## I. TREATMENT SYSTEM

Identify type of treatment system	<input type="checkbox"/> None	<input type="checkbox"/> Pond	<input type="checkbox"/> Other
<input type="checkbox"/> Provide narrative and schematic descriptions of the existing or proposed treatment system and engineering blueprints signed by a Registered Engineer or Geologist. If there is no treatment system, describe why treatment is not necessary.			

## J. RECEIVING WATER INFORMATION

Name of receiving waterbody
Name of major downstream waterbody

## K. CATEGORICAL EXCEPTION FOR PRIORITY POLLUTANT CRITERIA/OBJECTIVES

Is the discharge necessary to implement control measures regarding drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If yes, the Discharger shall submit the following for the approval of the Executive Officer:		
<input type="checkbox"/> A detailed description of the proposed action, including the proposed method of completing the action.		
<input type="checkbox"/> A time schedule.		
<input type="checkbox"/> A discharge and receiving water quality monitoring plan (before project initiation, during the project, and after project completion, with the appropriate quality and quality control procedures).		
<input type="checkbox"/> CEQA documentation.		
<input type="checkbox"/> Contingency plans.		
<input type="checkbox"/> Identification of alternate water supply (if needed).		
<input type="checkbox"/> Residual waste disposal plans.		

## L. WASTEWATER SAMPLING

<input type="checkbox"/> Provide the results of analysis of the existing or proposed effluent for pollutants listed in Attachment B. Dischargers applying for a categorical exception for meeting the priority pollutant criteria/objectives as authorized by section 5.3 of the SIP are not required to perform wastewater sampling for the priority pollutants contained in Attachment B. Dischargers of low volume discharges seeking an exception to the sampling requirements contained in Attachment B must submit justification that the existing or proposed discharge will have no significant adverse impact on water quality.
<input type="checkbox"/> Provide the results of analysis of the existing or proposed effluent for pollutants listed in Attachment C (if applicable).
<input type="checkbox"/> Provide the results of analysis of the existing or proposed effluent and the upstream receiving water for hardness.
<input type="checkbox"/> Provide the results of analysis of the existing or proposed effluent for pollutants causing impairment under the current CWA 303(d) List if discharging or proposing to discharge to an impaired surface water. The list of impaired surface waters can be found under the CWA Section 303(d) list at the web site: <a href="http://www.waterboards.ca.gov/tmdl/303d_lists2006approved.html">http://www.waterboards.ca.gov/tmdl/303d_lists2006approved.html</a>
<input type="checkbox"/> Provide the analytical data from the laboratory.

## M. POLLUTION PREVENTION AND MONITORING AND REPORTING PLAN

<input type="checkbox"/> Water suppliers with more than one discharge point shall submit a Pollution Prevention and Monitoring and Reporting Plan which contains all of the elements identified in Attachment H.
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## N. FEE REQUIREMENTS

<input type="checkbox"/> Provide the applicable fees. Information concerning the applicable fees can be found at <a href="http://www.waterboards.ca.gov/fees/">http://www.waterboards.ca.gov/fees/</a> . Checks must be made payable to the State Water Resources Control Board.
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## **ATTACHMENT H – POLLUTION PREVENTION AND MONITORING AND REPORTING PLAN**

Water suppliers that have or propose to have numerous discharge points covered by this General Order are required to develop a Pollution Prevention and Monitoring and Reporting Plan (PPMRP) and submit with the Notice of Intent. The following requirements must be included in the PPMRP:

### **I. POLLUTION PREVENTION PLAN**

- A.** Provide a general description of the distribution system and potential discharge locations. Identify pollutant types, flow rate ranges, and receiving waters.
- B.** Identify the treatment systems, spill contingency plans, operation and maintenance procedures, inspections, equipment, supplies, training, erosion control, etc.

### **II. MONITORING AND REPORTING PROGRAM**

- A.** Develop a representative sampling and analysis program. Dischargers are not required to sample all discharges if reasonable assurance is provided that the discharges will comply with requirements. Provide rationale for selection of the effluent and receiving water monitoring plan. Describe sampling methods, locations, and frequency of monitoring. Inspection plans and visual observations for discoloration, stream bottom deposits, etc. must be included.
- B.** The sampling and analysis program must be developed and implemented in accordance with the General Monitoring Provisions, Other Monitoring Requirements, and Reporting Requirements contained in sections I, IX, and X, respectively, of the Monitoring and Reporting Program (Attachment E).